

HOUSE OF ASSEMBLY

Thursday 7 February 2013

The **SPEAKER (Hon. M.J. Atkinson)** took the chair at 10:31 and read prayers.

STATUTES AMENDMENT AND REPEAL (TAFE SA CONSEQUENTIAL PROVISIONS) BILL

The **Hon. C.C. FOX (Bright—Minister for Transport Services, Minister Assisting the Minister for the Arts) (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. C.C. FOX (Bright—Minister for Transport Services, Minister Assisting the Minister for the Arts) (10:32)**: I move:

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

Motion carried.

ENDING LIFE WITH DIGNITY BILL

The **Hon. R.B. SUCH (Fisher) (10:33)**: Obtained leave and introduced a bill for an act to provide for the administration of medical procedures to assist the death of a limited number of persons who are terminally ill, suffering unbearably and who have expressed a desire for the procedures subject to appropriate safeguards; and for other purposes. Read a first time.

The **Hon. R.B. SUCH (Fisher) (10:34)**: I move:

That this bill be now read a second time.

I will just explain the amended long title. Originally, it contained the words 'unbearable pain', but it has been changed to 'unbearably', and I have done that on the advice of a professor of law, leading medical specialists and others following a recent meeting. I indicate that the bill is also slightly modified from the draft I sent out to all members two weeks ago. The rest of the bill is now consistent with using that terminology of suffering unbearably, and that is in respect of the objects of the bill.

In regard to the witnessing, whereas previously all the witnesses and the doctors had to be in the same place at the same time, that prescription is changed so that you still need those people to witness, but they do not all have to be in the same place at exactly the same time. It was put to me that under the Consent and Palliative Care Act, which contained a similar provision, it was very difficult and often virtually unworkable to have all the doctors and all the witnesses in the same room at the same time; however, the involvement of the medical practitioners and the independent witnesses is still required.

This bill has been changed from the previous one, which I thought was a pretty good bill, in the sense that I think it deals with all the reasonable objections people have to voluntary euthanasia. I accept and respect that some people do not support or accept voluntary euthanasia for religious or other reasons, and I respect that—it is a person's right to do it. Likewise, no-one as a medical practitioner or patient can be compelled to be involved in this process unless they choose to do so. I think the very name 'voluntary euthanasia' suggests that it is a conscious, deliberate decision.

Whereas the other bill provided for an advisory committee, this one has a government board. Some people took it to mean that, with the new government board proposed in the bill, people would have to get permission from them. No, that is not the purpose of the government board. The board is to monitor the act to ensure that it is working as intended and expressed if it gets through parliament.

The board will have two medical practitioners nominated by the minister, two legal practitioners, a person nominated by the Palliative Care Council (and I believe they are going to consider that aspect at their next board meeting), one person nominated by the South Australian Voluntary Euthanasia Society, one nominated by the South Australian Council of Churches, and

one nominated by Disability Services SA, and there is the usual provision that at least one must be a woman and one must be a man.

This bill, I believe, is as tight as it can be made; only last week, I have had a professor of law and others looking at it, as well as other very experienced legal practitioners and top medical specialists, and other people involved in palliative care have also been involved. I believe this bill is a very good bill and not, as some people suggest, a slippery slope. It only allows someone who is in a mental state, who is not suffering from clinical depression, to make a conscious decision that their pain is unbearable and that they want their life to end.

People have asked me, 'Why am I doing this?' Well, I am doing it for one simple reason: compassion for my fellow human beings who are suffering unbearably as a result of a terminal illness. Just to clarify matters, in the bill the wording 'terminal phase' has been deleted because you are either terminally ill or you are not. The advice of a professor of law and the specialists was that they thought it better just to say that it is a 'terminal illness', and I agree, so that is expressed in the bill.

Now, I will not transgress by getting into a bill that I intend to introduce in relation to palliative care. I do not know whether people realise it or not, but under that act it is possible to end a person's life without their consent and that is happening in South Australia right now. They are people in a coma, people in a vegetative state, and if a medical practitioner and the relative or guardian agrees, that person can have their life ended. Yet, they are people who have no say in it; they are in a coma. My bill is talking about people who do have a say; who want to end their life because they are in unbearable pain.

Now, we have had, sadly, a former member of the parliament who died in agony and when people visited he was asking for them to kill him because he was in so much agony. If we allowed animals to suffer in this way, you would be before the court quick smart, yet we have a situation in this state where individuals cannot make a conscious decision that their pain is so terrible that they cannot bear to live any longer.

Most people do not and would not want to avail themselves of voluntary euthanasia because palliative care caters for most people, but if practitioners are honest they will tell you it does not cater for everyone; it does not remove the pain for every patient. My estimation is that, under my bill, there may be a dozen people a year in South Australia; poor souls who are going to be in a situation where they may avail themselves of this. There is no compulsion of course. So, it is not opening the floodgates.

It is a very tight bill and it has been reinforced in the requirement of focusing on elements of depression; that is, you need a psychiatrist if there is any doubt about that. Not a psychologist, a psychiatrist who is a qualified medical practitioner as well. Some people say, 'Well, anyone dying will be depressed.' There is a difference between feeling down and being clinically depressed, and this bill takes that into account by requiring, if there is any suggestion of depression, that it be assessed by a qualified psychiatrist.

There is a requirement, obviously, for a detailed report to be made to the Coroner. There is the board to oversee the operation of the act. There are certificates that must be filled out. There is a very severe penalty for anyone who, in any way, does something contrary to the act. There is no way under this bill that you could have someone being euthanased contrary to their desire. Anyone who does that is engaging in murder and the law is quite clear about that.

As I said before, under the palliative care act, it is relatively easy to end someone's life currently for someone who is in a coma by withdrawing a ventilator or not giving them cardiac or pulmonary resuscitation. Under the palliative care act, you can actually starve someone to death or dehydrate them to death, which happened recently to a lad whose mother contacted me. It took three weeks for that person to die. Now that is involuntary euthanasia. That is euthanasia. That is killing someone without their consent. My bill has got nothing to do with killing people without their consent.

I believe in the right of the individual to choose. Some people say, 'Oh look, the Bible says thou shalt not kill.' The Bible says a lot of things and you can interpret the Bible in a lot of ways. I would say the main thrust, certainly of the New Testament, is about love and compassion. At the meeting I had recently to review this bill, clergy were there who strongly support what I am trying to do. I respect within the Catholic church, the Lutheran church, some of the other churches, Greek Orthodox, there is opposition to voluntary euthanasia. I respect that, but what I say to people who have strong views is, we are not and I am not trying to impose my view on you, but I ask you not to

impose your religious view on others. You only have to look at some countries where some of the extreme religious groups try to do that. We do not want that here. People should have the right to choose. If they are in unbearable pain and they do not want to suffer anymore, they can have their life ended appropriately, either by themselves under medical supervision or by the doctor doing it under these prescribed conditions.

One member previously has raised the point that most of the public want this. We know that from news polls and if you are not sure, ask your electorate. I have asked my electorate and they support this. If you are not sure and you are in here to represent your electorate, ask them do they support what I am proposing which has a very strict provision.

Previously one member in here said the public want the death penalty but we do not listen to them, we do not do that. That is totally different. I am not aware that anyone actively seeks capital punishment; I have not seen any requests coming from individuals saying, 'I want to be hanged' or 'I want to be put in the electric chair.' It is an irrelevant argument. But the public do want this, and I know that from the gathering momentum in the community—from young people—there is now a very active youth group that has been set up to promote this avenue for people who want it, and there is a very active Christian group too.

There are a lot of Christians who say that this is completely in accord with their beliefs because they argue their god is a god of love, not a god of pain and suffering. I remember when we had the standing committee inquiry into this, a clergyman from the church said, 'Pain is good for people, it refines them.' What he meant was pain is good for someone else. Afterwards—and I have told this story before—a couple of the nuns from Mary Potter Hospice came up to me, put their arms on me and said, 'He's not in the real world; we deal with death every day and it's not black and white.' That is what these beautiful nuns said to me.

So let us not rely on the people who want to take a narrow view. Their god might be a cruel god but for many Christians their god is a god of love and compassion and they want that expressed in the way the law treats and allows people to make a choice. I would say to those people who say, 'Thou shalt not kill', how do you account for the fact that people have a will, they have a choice? If you argue that people do not have a will and do not have a choice, then you have completely undermined the whole basis of Christianity and nearly every religion on earth because if people do not have a choice, there cannot be a thing such as bad behaviour or inappropriate behaviour or sinful behaviour because you are not making a choice, you are just an automaton.

In essence, I ask members to look at this closely. I am happy to talk to them. I can get people who are passionate about this. One of the medical specialists who briefed me this week is a gynaecologist specialist. These are professional people who are dealing with death frequently and he said that, in his particular field, he sees women who are dying from a gynaecological cancer or something like that who are denied the chance to end their life because they have no dignity, they are so embarrassed—people wearing nappies who are just humiliated by their very existence and the fact that their pain is intolerable—so I make a plea to people.

I know this is not an easy issue, but I have done all I can with the advice of others to make this bill as tight as possible so there can be no abuse. No-one can go around killing people. You cannot benefit from an estate if you are a witness to this request, so the argument that people will be getting rid of rich relatives is nonsense.

I urge members to look closely at what this new bill contains. It has had very skilful drafting from parliamentary counsel who have spent a lot of time rejigging this bill and reworking it to create a new bill based on the best information and advice we can get. I believe this bill is the one that will deliver reasonable opportunity to those who are suffering unbearably, who cannot bear to live any longer and should be allowed to die in dignity, not in screaming agony for days and weeks on end. I urge members to seriously consider this bill and to ask their constituents if they have any doubt about whether they support it.

Debate adjourned on motion of Hon. S.W. Key.

**PARLIAMENTARY COMMITTEES (NATURAL DISASTERS COMMITTEE) (NO. 2)
AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 20 September 2012.)

Mr TRELOAR (Flinders) (10:50): I rise today to speak in support of this bill put to the parliament by the member for Davenport, and I speak today in my role as shadow minister for emergency services, as the member for Flinders, and also as one who has experienced a significant natural disaster in this state.

I support this bill wholeheartedly and I commend the member for Davenport for his perseverance in this matter. He has recognised for some time the necessity for a change in the functions of the committee structure in this parliament, with a view to establishing a committee to take oversight of the way in which we as a state prepare, respond and cope with the effects of natural disasters, because they do occur, although from time to time we become quite comfortable in this state.

We are not often exposed to major earthquakes, floods or tsunamis, for example, but often we are faced with bushfires and, more often than not, that is the natural disaster that we are going to be exposed to. I know the member for Davenport has some vulnerable territory within his electorate, which he has repeatedly raised concerns about, and that probably is one of the reasons why he has come to this parliament with this proposal.

The committees of parliament do perform a vitally important role in the way in which this parliament runs, but, further to that, in the way this state is governed. Response to natural disaster is not necessarily a response of government: it is a response of parliament and, as such, I think we need to have the ability in a multiparty and bipartisan way to have input and consider matters which concern natural disasters.

Preparedness and response times are paramount in natural disasters. Often the landscape changes over years and people become complacent. I have noticed that, with regard to bushfires, they appear to be occurring with more regularity, and one thing I do note is that people and populations are not always as ready for the effects or the impact of bushfires as they might be.

The landscape is also changing; I think fuel loads are changing; I think the way the fuel combusts is changing; and I see that in the way the vegetation has changed over the last 30 years. The native veg and the re-established vegetation is adding to the fuel load. I think changing farming practices have also added to fuel loads and I think this comes together to add to an increased fire risk right across the state.

My suggestion is that we should seriously consider this proposal to establish another committee, and I do sincerely hope that the government decides to support this bill because I think it is of paramount importance to the wellbeing and safety of the people in this state. So congratulations to the member for Davenport and I do support the bill.

The Hon. S.W. KEY (Ashford) (10:54): I rise to speak on this bill because I have very strong views about it, but also to say that I am not in a position to support the bill. However, I would like to add to the debate this morning. I was very disturbed when we had the opportunity to make our inquiry into the Mitcham Hills area and to witness the video about the Canberra fires. That was a very chilling experience, and I think that yesterday the member for Frome outlined the feelings of all us, perhaps, on the Natural Resources Committee when we witnessed that fire.

Unfortunately, along with a number of members in this place, my family was also connected to the Ash Wednesday disaster. My mother was the chief social worker in the Hills and I think she worked very closely with the member for Davenport's father, in particular, in looking at a lot of the relief and the follow-up that was necessary as result of that terrible incident. My husband's house in Bridgwater also partly burnt down, so he was pretty much involved in the house having to be rebuilt. Fortunately, no-one in our family, although they are mainly Hills dwellers, died in that terrible tragedy, but a number of people we knew did lose their lives, so for our family and for my husband's family it was a very difficult time. I know that there are a number of members in this house who were also touched very directly by that situation.

Being the member for Ashford, I am very aware of other disasters, particularly in relation to stormwater, and the real concerns there are about that. Over the 15 years I have been in parliament I have been to a number of meetings, in particular with the former member and the current member for Unley. I know that the member for Davenport has also been to a lot of meetings, and as have the members for Waite, Colton and West Torrens. We are all in what would be seen as stormwater-targeted areas, and if there is a one-in-50 or one-in-100 year event we are going to have really big problems—particularly in West Torrens, Ashford, Colton and probably Unley as well.

The other experience I had that was very difficult—and this was as minister for higher education—was the Port Lincoln fires and going and revisiting the projects that had been set up by TAFE as well as by SA Works and seeing that there was absolutely nothing left. At one of the fantastic Aboriginal projects that had been set up, looking at horticulture, I was presented with what remained of the tractor. It was just a piece of metal; I still have it, and it is just a flat piece of metal. That was all that was left from the tractor, so you can just imagine what happened to the rest of the project.

I have had the honour of being on the Natural Resources Committee now for two sessions of parliament, and Graham Gunn, the then member for Stuart, was very assertive in the previous committee in talking about the need to prepare for fire, and he certainly had debate with a lot of us about native vegetation. I must say that by the end of being on that committee with Graham Gunn for four years I felt as if I had some education in the need to have that preparedness, particularly in regard to fires. Along with the member for Colton, he was one of the few people in the parliament at the time who had regularly fought fires. I know there are a number of members now in the house who have also, unfortunately, had that experience and who are members of country fire services—

Mr Pengilly interjecting:

The Hon. S.W. KEY: And are still doing it, as the member for Finniss has said. In fact, when I look over at all of the members on the other side—the member for Mount Gambier and the member for Hammond, to mention just a couple—all of them, unfortunately, have that extended experience.

Although I lived in Canberra only very briefly, I visited Canberra after the fires there and, as I said, more recently I saw the DVD, and just the devastation of what was basically an urban fire was quite chilling. It has taken a long time to people who were caught up in that situation to recover.

I think that the Natural Resources Committee and the Environment, Resources and Development Committee have more than enough work to do. I think there is an opportunity to look at natural disasters in this parliament, not to interfere with what is already in place by the different emergency services and the police, who I understand meet regularly and have a plan, but also to provide some focus and probably some pressure with regard to funds in this particular area. I think it is important that parliamentary committees do not interfere but, if we look at the track record of our other parliamentary committees, it is an opportunity to have a forum to discuss particular issues. It seems to me that it would be a good idea, as initiated by the member for Davenport, to have that fora in this place.

For a long time now the member for Florey has been talking about what disaster plans are available, what sort of concentration we have in different areas and, if there is a disaster, what does the public know to do. We are not just talking about bushfires—which is, of course, something that we are all concerned about—but other disasters that may happen. It might be a chemical spill, it might be an earthquake. South Australia, particularly Adelaide, is an earthquake-prone area, so what the hell do we do if we are in that situation? So, again, I think a committee that provides that forum could actually look at those situations and make sure that they are publicised so that people know what they are supposed to be doing.

I was in the bar a bit earlier talking with other members about the fact that the member for Bragg and I are on the Defence Reserves Support Council. We get regular reports at our meetings about the work the reserves do in natural disasters. It is quite chilling to think about the number of disasters, particularly in the last two years, that the reserves have been called out to assist with. The defence services actually do take over in a lot of these instances, but they are also supported not only by emergency services staff and volunteers, but also the reserves council.

Again, it seems to me that, if there was a focus in parliament on discussing what is happening and where things are going, we may get a better understanding of the fabulous work that is done in South Australia, not only in our own state but elsewhere. As I said, I am not in a position to support this proposal from the member for Davenport, but I think it is a really good idea.

Mr WILLIAMS (MacKillop) (11:03): I rise to indicate that I certainly do support this matter that has been brought to the attention of the house by the member for Davenport, who has long been an advocate, not surprisingly, given the seat he represents and his background of being a lifelong resident of the Adelaide Hills.

In nine days, it will be the 30th anniversary of the 1983 Ash Wednesday bushfires, as the previous speaker just mentioned. I have first-hand knowledge and experience of out-of-control bushfires and the devastation and trauma that can come from them. They are not the only natural disaster, and the member for Ashford also talked about flooding, and that is something that people should be aware of in metropolitan Adelaide.

An honourable member interjecting:

Mr WILLIAMS: My colleague has just mentioned earthquake. Let us not forget that South Australia is subject to earthquakes. Being a not irregular visitor to Christchurch and New Zealand, I am very well aware of the devastation that can occur to a modern city from an earthquake.

The member for Flinders suggested that things are different and that things are changing, and there is no doubt that things are changing. I will talk about my experiences and my understanding of my own electorate with regard to bushfires, which I think is the most dangerous of the potential natural disasters which may impact on my electorate. The member for Flinders talked about roadside fuel loads. When I was a boy growing up there were always a couple of locals who had a mob of livestock, generally sheep, that continually moved around the district, and the roadside vegetation was like the average backyard lawn.

Let me say that the roads I am talking about do not have a lot of native vegetation on them but it is basically annual grasses which grow up to a metre or more tall, and that is the way they stay. I am talking about country roads. A lot of them are three chain roads—they are not narrow roads—which, again, is a hangover from the old days when there was a lot of stock movement along the roads, and they are a haven for a rampant bushfire. They will carry a bushfire very quickly throughout the landscape because of the amount of fuel that has built up along those roads.

The other thing I think that has significantly changed in recent years, which we did not contend with 30, 40 or 50 years ago, is ignition sources. Those of us who are wary of bushfires know that you need a combination of factors to have a bushfire and one of them is an ignition source as a way of starting a fire. For some reason which, to a significant degree, escapes my comprehension, we have a number of people in our community who, for some weird reason, go about with a packet of matches in their pocket. For some crazy reason something they are driven to do is to start a bushfire.

The way that we have handled mental health issues in our community in recent years I think has added greatly to this particular risk. The way that we have moved people suffering from mental health diseases back into the community obviously has caused much anxiety for those of us who are threatened and very aware of and anxious about the potential for bushfire, particularly in our rural areas. That is something that has changed dramatically over the last 30 or 40 years.

I have had a very great interest in this matter. The previous member mentioned the Hon. Graham Gunn. Graham and I had many discussions and, between us, endeavoured to make a number of amendments to the relevant legislation, particularly that governing the Country Fire Service. We had some success—mixed success I guess—but through those processes I have read a lot of reports that have been commissioned following major disaster events in South Australia. There were reports after fires at Mount Remarkable National Park and, obviously, the Ash Wednesday fires, and the fires on Kangaroo Island. If members wish to seek them out there are innumerable reports that were written following these events and, obviously, numerous recommendations were made. The reality is that only a limited number of those recommendations have actually been followed through by the government of the day.

There are many things that we could and should be doing differently. I had a lengthy discussion with a reporter recently on these matters because, as I said, of the impending 30th anniversary of the Ash Wednesday bushfires. I went through a number of things that I thought, as a parliament, we should be attending to. Having a committee devoted to this work is something which would, once and for all, go a long way in addressing some of the matters which, I guess, have just been allowed to go along without the attention of the parliament.

One of the things, for example, that I disagreed with during the tenure of the current government was that we changed the way that we declare a state of emergency in South Australia. It is no longer the minister or the executive government that is responsible for declaring a state of emergency. That is now being pushed off to a bureaucrat. I totally disagree with that. I think the accountability for that function and the things that surround those things should be held by the executive government and a minister, because I think that will mean it is much more responsive.

They are the sort of things I think we should be addressing and I think that is why a committee of this nature again will ensure that the government of the day is more responsive to natural disasters, and I mean in a proactive way. It is all well and good to come along after a natural disaster and act in a way to help out the community that has been adversely affected and to do whatever you can. It is something completely different to be proactive and to minimise the risk to our community.

Again, the member for Ashford has talked about the potential for flooding. We all know that there is a huge potential for very serious flooding on the Adelaide plains, but nothing has been done about it year after year after year. I think if that does occur, certainly the current government is culpable because they have acknowledged the issue but they have been willing to sit back and have the attitude of, 'Maybe if it occurs, you know, there's a risk and if it does occur, we'll come along and help clean up the mess afterwards.'

I think the current government will be culpable because they have acknowledged the problem and have not proactively minimised the risk. It is certainly the same with other potential natural disasters and the one obviously that I am most interested in is bushfire. There are a lot of things we can do to minimise the risk of bushfire. I certainly have very serious concerns about the message—or part of the message, at least—that we are giving to our community about what to do in the case of a bushfire.

I think the message going out is somewhat mixed and, from personal experience, I think the worst thing is that we will have a real disaster on our hands, particularly in closely settled areas like the Adelaide Hills, if people are panicked to get in their car and get on the road in the face of a bushfire. I think that is the worst thing. I like the message: 'If you are going to leave, leave early.' I like that bit but we need to reinforce it. If you are going to do that, you have to get out well before there is any hint of smoke on the horizon because if you start to move about on the roads once the bushfire is underway, we are calling for a disaster to occur.

I am delighted that the member has again brought this matter before the house and I certainly hope that the government takes this matter very seriously and ends up coming to a position of support for this because I think it is very important to South Australia. I commend the bill to the house.

Mr PEGLER (Mount Gambier) (11:12): As the member for MacKillop said, it is close on 30 years since Ash Wednesday. Surely we have learned something from that. Thirty years, and we still do not have a committee in this parliament to deal with natural disasters. The committee system of parliament is one of the things that does work exceptionally well and I feel very strongly that we should have a committee that deals with natural disasters.

We have, as a parliament, no idea of what the disaster plans are for this state, particularly when it comes to fires, floods, earthquakes, chemical spills, etc. We, as a parliament, have no idea of what the plans are to avert those disasters before they happen. We have no idea of what to do when those disasters do happen and we have no idea of what to do after those disasters happen in mopping up, etc.

The people who elect this parliament are the people who look to their elected members whenever there is a disaster. They look to this parliament for guidance and direction and, through a committee, we could come up with decent plans so that the people of this state have some idea of what happens whenever there is a disaster.

I also feel that it is a pity that a political party can dictate to its members on an issue like this which way they should vote. As far as I am concerned this is an extremely important matter for the state and for the people of the state and it should be a conscience vote where people actually get the opportunity to vote on what they actually believe in rather than being dictated to. I certainly commend the member for Davenport for again bringing this bill to this house and strongly indicate my support for it.

Mr PEDERICK (Hammond) (11:15): I certainly support the member for Davenport and his work in introducing this bill. Iain Evans introduced a bill regarding the establishment of a bushfire committee and gave evidence, as the member for Davenport, to the parliament's Natural Resources Committee and, as indicated, it became obvious that there was wider support for a broader committee of natural disasters. I note that the Natural Resources Committee has now released its report, which states:

The committee strongly supports Iain Evans' call for a standing committee on bushfires, recommending that it may be opportunistically broadened to consider all natural disasters, including bushfires, floods, earthquakes, riverbank collapse, tsunamis, extreme weather events, hazardous material and pollution emergencies, pest plagues and agricultural diseases.

Obviously a broad range of events can be covered by this. I note the mention of riverbank collapse, of which there were many throughout my electorate during the drought preceding September 2010, where we saw pump sheds and cars disappear into the river at Sturt Reserve (I think three went in and only one came out).

Some massive impositions were forced onto marinas and property owners. Power supply infrastructure went into the river, and it has been terrible for many residents along the river. It also mentions agricultural disasters. Agriculture is a major contributor of income to this state, so that needs to be taken into account. There are earthquakes and it talks about tsunamis. Bushfires were the genesis of the proposal for this committee, and they are something this state suffers continuously. I note that we are coming up to the 30th anniversary of Ash Wednesday, and that was a terrible day for this state. On that day many lives were lost, along with stock, properties and many families' dreams, but it continues to happen.

With my farming property only seven years ago we had a lightning strike and a fire was fanned across the highway. We had aerial bombers coming down the highway bombing transport and other road users as they were trying to put out the fire. It came across into our tree line and into our property. With our private unit, other private units and the CFS we managed to get it under control. Being a member of the CFS I thank the other CFS people who came from as far away as Lucindale. I remember the next morning talking to the commander who was on site at the time, and he had come up from his own property at Lucindale to help someone else. I acknowledge their efforts.

This happens continuously and most recently I was over visiting the member for Finnis on Kangaroo Island and there were many lightning strikes and our property again was on fire. Thankfully it was only a small fire. Neighbours were quickly on the scene and took the bulk of the action, because the CFS was fighting a multitude of fires in the area at the time. There were at least 100 fires between the Mallee/Upper South-East and the Lower South-East that day, most from lightning strikes. Sadly, as the member for MacKillop indicated, there are idiots who seem to have an innate desire to go around and light fires. It just beggars belief why anyone would do that when you see the carnage or if you have witnessed stock losses, fencing losses and property losses that can happen through fire.

Recently, over 300 hectares of fire damage was caused in the Finnis area—farming land, vineyards, dripper lines, posts. There was massive damage to the area in my electorate, and if it was not for the efforts of the CFS and landowners these fires could be a lot worse. I note, with the member for Davenport initiating this back in 2011, as well as discussion around bushfires—and note his electorate—that when you travel around the Adelaide Hills there are so many spots where there is only one way in and one way out. Sadly, unless we get a lot smarter, as indicated on the front page of *The Advertiser* in the last couple of years, there could be 300 deaths from a major bushfire.

As the member for MacKillop indicated, we do give a mixed message to people: it is stay or go. People really need to be sure, if they are going to stay, that they can manage the situation, because you could have a fireball go right over the top and it might be ember attack that gets your property going. People really need to be sure that they are prepared to stay, and those decisions need to be made very early in the piece. If you leave it to the last minute, as we have seen in fires across the nation recently, sadly, people have lost their lives in trying to flee the flames.

In talking about Adelaide Hills fires, I note today that my family recently purchased an interest in an Adelaide Hills property. However, before doing that, I took particular notice that there were two ways out and there was a refuge if it really hit the fan, so to speak. I have always said to my family, no matter where it happened, 'Just leave; insurance will do the rest.' I can understand people wanting to save homes, but you can always rebuild.

I certainly congratulate the member for Davenport on putting this motion in place to get this committee elected across the parliament and to establish this natural disasters committee. I think we still have a lot to learn about fire and disaster management. As time goes on, I think we need to have things in place, especially this committee. It is a fantastic opportunity to have something like this in place so that inquiries can be made at the top level in this state as to what goes on in the

management of these things. Too often we see so-called controlled burns that get out of control. A lot of these happen with the environment department.

Mr Pengilly: Most of them.

Mr PEDERICK: 'Most of them,' says the member for Finnis. There needs to be a lot more planning. I am appalled some days when you see so-called controlled burns take off in thousands of hectares of parks—like those over near the Gawler Ranges or, in recent years, in the Messent Conservation Park down at Keith and other areas. I visited Ngarkat Conservation Park in my electorate the other day, which has suffered major areas of burnout. I think that the environment department are going too hard with their so-called controlled burns and upsetting the natural habitat so much that we are not getting good growth back.

In my closing remarks I will comment on the recent Mid North fires, which the member for Stuart so rightly put on the record yesterday, where a fire seemed to rekindle after an event in November, I believe, and burnt out a huge tract of farmland as well as a huge part of the forest. I think committees like this one could fully investigate what happened there, why there are not enough resources for firefighting up there and why FireKing appliances are not permanently in place to make sure that these fires can be managed. I certainly endorse this move by the member for Davenport and hope that the parliament sees sense and endorses it as well.

The Hon. R.B. SUCH (Fisher) (11:25): I will be brief. I support this initiative by the member for Davenport. I do not believe that in South Australia we have learnt from past disasters. I think we have become complacent about some aspects of fire. We do not normally suffer greatly from floods, but it is still a possibility. We have not had a major earthquake for quite a while and hopefully we will not, but I am not too sure that we are ready.

Some key issues arise under this general heading, and I think a committee like this would add to the good work that is done by committees in this parliament. I have been saying for a long time that I think committee work is one of the best aspects of parliament. It is one of the most productive and useful, but committees need to be adequately resourced to do the job. Members need to focus on some inadequacies in planning law and the way plans are drawn up for subdivisions, and so on. As we have seen in the Queensland floods, we have some problems here, particularly in relation to bushfires, because of inadequate, poor and inappropriate planning, particularly in some parts of the Adelaide Hills.

There is another issue which is significant. I assume members have observed the Insurance Council's warning that they may not insure people who are in high risk areas. That has very serious ramifications for a lot of people living in bushfire risk areas, flood prone areas, and so on. If they cannot get insurance on their property, the value of the property will obviously diminish and people will be left high and dry. I think a committee like this could look at some of those issues, because otherwise people will be caught short, literally, in terms of not having insurance cover, and also the cost of insurance is becoming very high in some of these areas.

There are other points that some members have mentioned. I do not believe we have the burn regime right. That has to be extended significantly, done properly, but I think you need to assist private property owners who want to do a cool burn (a burn-off), because they often do not have the resources to handle a cool burn on their own property. There is a fear that if it gets away they will be devastated in terms of imposed costs.

I do not think that as a society we have really got a handle on the way in which the burns should occur, the frequency and so on. A lot more effort needs to go into helping to reduce the risk of intense fires by having a better managed prevention program based around appropriate cool burns. Access and egress in terms of the Adelaide Hills is pretty important, and the committee could obviously look at that issue. I live in a high risk area for bushfires and I do not believe that in a bushfire people would be able to get out easily in areas like Coromandel Valley and Upper Sturt.

The final point—and the committee could look at it—is that, in many areas close to Adelaide, if you go out on the Karoonda Road, you cannot get mobile phone coverage. So, if you have an emergency, you have a disaster situation. There is no way, unless you have a satellite phone (which most people do not), you can contact someone in some of those areas. I have just written to the federal government urging them to help provide better mobile phone coverage in all areas, including within 130 kilometres of Adelaide, because it is important for emergencies and potential disasters. I commend this initiative.

Mr VAN HOLST PELLEKAAN (Stuart) (11:29): It will not surprise the house that I certainly stand to passionately support the member for Davenport in his urging this house, urging the government, to establish a select committee to look into natural disasters. I draw the house's attention to the most recent speech I made on exactly this topic on 12 July last year. I will not go back over all of those points other than to say that the member for Davenport has worked incredibly hard to keep bringing this issue forward, and keep bringing it forward and bringing it forward. The government keeps knocking it back and knocking it back.

You can see where we are heading. Eventually, quite possibly, there is going to be a natural disaster that is so significant that everybody here will say, 'Gee, I wish we had done this.' It is really important to recognise that this is not about the management of natural disasters; this is about a select committee that would work on preparedness for natural disasters. I seek leave to continue my remarks.

Leave granted; debate adjourned.

MENOPAUSE

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

That this house:

- (a) acknowledges the often significant and deleterious impact of menopause on women; and
- (b) urges the state government and medical practitioners to help women become more aware of the latest research and treatment options.

As members know, I am quite passionate about the issue of men's health and women's health. Members might wonder why I raise this issue. As do other members, I have female constituents and I obviously have a lot of close relatives and—surprise, surprise!—my wife is a woman as well. That is not always the case, but in my case it is.

The situation with menopause is that there has been a lot of misunderstanding and misrepresentation in regard to this whole issue, particularly in relation to hormone replacement therapy, usually using the acronym HRT.

About 10 years ago, a report came out that scared the daylights out of women who were either on HRT, which has been around since the 1940s, or scared those who were contemplating it. Since that time, there has been quite a widespread fear and concern about women being on that HRT program.

Sadly, that original 'study', which was released in 2002—and I put 'study' in inverted commas because, ironically and sadly, that report was largely fallacious in the sense that it was studying post-menopausal women and had little relevance to the matter at hand—unnecessarily scared women from even considering HRT. Some of the concerns related to higher risk of breast cancer and things like that.

Since then, fortunately (and this was supported by the International Menopause Society), a more comprehensive and more scientifically-based study was released a year or so ago, and it showed that that earlier report was essentially questionable at least and that, if women who were contemplating HRT went on to that program in their 50s, they were more likely to have a better outcome and a better quality of life than that experienced by those who went on to a HRT program later in life. In other words, the message was, if you are in your 50s it is better to be on an HRT program than to wait a longer period of time.

There is still a lot of ignorance about this issue and, I think, probably a lack of understanding of what some women experience as a result of menopause. It does debilitate many women, not simply in terms of hot flushes and things like that, but it has a significant impact because of the fundamental effect on hormones. It has a big impact on their outlook on life, mood swings, muscle pain, sleep disturbances and often sexual dysfunction. It is not something that should be dismissed by ignorant men who show a lack of understanding of the impact on women

It is a big issue for women and it needs to be treated seriously, but importantly, women obviously need to get correct professional advice. I know that many of the specialists in this area get very annoyed because they believe that at the GP level some of the advice being given is not up to date with the latest research, is not accurate and perpetuates some of the myths of yesteryear.

Those women who experience, for example, early menopause and do not get involved with an oestrogen therapy have a much higher risk of things like osteoporosis, coronary heart disease, earlier death, symptoms similar to Parkinson's, dementia, anxiety, depression, sexual function concerns. We are talking about something that is significant, and I am not in a position to give medical advice; I am not qualified.

What I want to see happen is a greater awareness of the options available and for women to be made aware of those, to seek professional advice and not to be automatically deterred by a study of ten or so years ago, which whilst it was obviously meant with the best intention was fallacious in that it was not studying women who were the logical target group. That initial report was in 2002, as I indicated earlier. It was called the Women's Health Initiative (WHI) report and it raised alarms about the safe use of HRT.

Additional work recently, as I have indicated, has shown that the risks from HRT are relatively small, but people clearly should get professional advice and see someone who is an expert in the field. I am not here to lecture people about this issue. I just think it is something that a lot of women suffer largely in silence and it does have a major impact on them—they have told me so and I have seen evidence of it—but the old 'grin and bear it' should not be the automatic response when we know now from modern research and options available that something can be done.

As I say in the motion, I would urge the state government and medical practitioners to be aware that there may be options available to these women so that they do not have to endure debilitating symptoms and put up with something that can take some of the positive aspects out of their lives. I commend this motion to the house. I do not imagine anyone is going to oppose it. I think it is important that in parliament we talk about a wide range of issues affecting people, health issues and other issues.

The first step in a lot of these issues is awareness. I know when I was diagnosed with prostate cancer that a lot of the members in here immediately went off and had a check. Contrary to what poor Tim Mathieson was crucified for, you do not have to have a digital rectal examination. You can have a blood test which, over time, will be an indicator, but the only sure-fire test is a biopsy which, if it is done properly, is painless. The first step in any of these situations—menopause or whatever—is that people have to be aware of the issue and aware of possible treatments.

I am continually saddened when I go around and give talks about my experience with prostate cancer and so on. I came across some guy in the Barossa at a talk I gave who had just turned 50 and it looks as though the prostate cancer has been caught too late in his case. He will almost certainly have to have radiotherapy and probably hormone treatment. In a way, it ties in with menopause because the hormone treatment, if you have prostate cancer, will, in effect, turn you into a woman.

Mrs Geraghty: No, it doesn't turn you into a woman. You need to get your terminology correct because you are creating a myth.

The Hon. R.B. SUCH: You know what I mean. I am using a poetic phrase. You become more like a woman than you were before.

Mrs Geraghty: That's still not correct.

The Hon. R.B. SUCH: That is correct. Allan Pease—

The SPEAKER: Member for Fisher, this is as dangerous as tweeting.

The Hon. R.B. SUCH: Allan Pease, who was a guest speaker at the prostate cancer conference in Canberra towards the end of last year, had hormone treatment. He said that he could tell he had had hormone treatment and that testosterone had been suppressed because he was no longer interested in looking at women going up escalators with short skirts.

Members interjecting:

The Hon. R.B. SUCH: I am just reporting what he said at a public gathering. He said he became, in effect, a woman. He had hot flushes and so on. I am just making the point that, if you, sadly—

Mr Pengilly: Taking private members' business to a new level.

The Hon. R.B. SUCH: —sadly, through ignorance, if you do not get onto these things early—

The SPEAKER: I call the member for Finniss to order so that that comment will go into *Hansard*.

The Hon. R.B. SUCH: The point I am making is that, if you do not get onto these things early enough, you are not aware about what the issue involves and you are not aware of the treatment options, and you can end up like the poor soul in the Barossa Valley who, at the age of 50, is facing a very bleak future. We know that prostate cancer is not the same as menopause, but I am just saying that awareness is the first point of call.

I think we need to canvass these issues in parliament and use newsletters and so on to make constituents aware of what the real research is saying, so I commend this motion. I think it is important. It is about awareness and women having options and being aware that something can be done to improve their quality of life, and I think that is a worthwhile objective.

Ms BEDFORD (Florey) (11:43): In rising to respond to the motion on behalf of the government, I move to support the first part but, obviously, not the last bit. The average age of women going through menopause in Australia is 53 years; however, for a variety of reasons, some women experience menopause much earlier.

South Australia has an increasingly ageing population, and women going through menopause make up a significant proportion. There is a proportion of women in our society who have difficult symptoms during menopause, and a significant amount of information is available to women in our community, ranging from general practitioner advice through to dedicated menopause clinics—for example, at the Royal Adelaide Hospital.

Within the primary healthcare sector, advice and support are offered to all women through a range of services. The government employs doctors and nurses who specialise in women's health and are credentialled to deliver assistance in this important area. Such services are provided through the Dale Street Women's Health Centre in Port Adelaide, where an outreach service, through the GP Plus centres at Elizabeth and Gilles Plains, is also provided. Research is ongoing throughout the world into the mechanisms and effects of menopause and the government encourages all health practitioners to assist women seeking the latest advice.

I would like to add a couple of personal remarks, seeing as we are having such latitude on this topic this morning. One, is to explain to people how important hormonal balance is, particularly when you think about what hormones can do to people and their health. Everybody needs to know and listen to their own body. It is very important that we understand what we have in our own body and how our own health is impacted by what we do. It is impossible for doctors to understand us in five or 15 minutes of an appointment, so people should make a real effort to understand their own health. Everyone is unique and we do urge everyone who is experiencing trouble with menopause to seek advice.

Debate adjourned on motion of Mr Goldsworthy.

DA VINCI SURGICAL ROBOT

The Hon. R.B. SUCH (Fisher) (11:47): I move:

That this house commends the state government for its longstanding support for the Da Vinci surgical robot at the Royal Adelaide Hospital and requests the government purchase the new model that is now available.

I should declare a conflict of interest. I had the experience of this robot several years ago and it was a very friendly machine. The machine at the Royal Adelaide Hospital was kindly donated by Gordon Pickard through the Pickard Foundation in 2004. First of all, that gift was very generous because you are talking about a machine worth close to \$3 million. Gordon himself had prostate cancer. It is not a private matter; he has gone public on it. He was operated on by the same type of machine at a hospital in Melbourne.

As a result of that, and because he was so convinced by it and the fact that he could return to work quickly, he generously provided a machine for the public hospital. What is significant about Gordon's donation, apart from being generous—I know some people say, 'Look, he's got money'; yes, you can have money but you do not have to be generous, you do not have to give it to anyone else—is that he particularly wanted it available to everyone who needed it, and I will explain in a moment what it can do. In other words, he did not want it to be exclusively for people who are rich or well off.

Without going into it too much, Gordon's family came from I think what you can euphemistically call 'Struggle Street'. He has a strong commitment to helping people generally and he did not want the machine limited purely to rich people.

That machine was donated 10 years ago next year. I know several surgeons there, and one has performed over 1,000 prostatectomies on that machine. It can do other things; the beauty of that machine—and I am not an agent for the company—is that you have very little bleeding because it puts gas into your system as it operates so that you do not bleed. So, you do not need a blood transfusion.

The machine is controlled remotely by a surgeon who directs it to cut, operate and do all the things that are necessary to remove an organ, etc. Whilst it is being used primarily for prostatectomies, it can be and has been used for other forms of surgery. The bottom line is that the model, according to the company that makes it, cannot be supported beyond the end of this year; they will not be making spare parts for that machine. The situation is that the machine needs to be replaced and, at approximately \$3 million, they are not cheap.

Some people have said, 'Let's ask someone to donate another one.' I think it is asking a lot of an individual, a foundation or anyone else to donate surgical equipment to a hospital. In saying that, if they are prepared to do so, that is fine. I think it is important that, however we do it, we also ensure that the machine is available to everyone and not just to a select few.

The new machine, which has smaller robotic arms and is more flexible, can do a whole lot more. The current machine can do throat surgery, so you have no external cutting. The machine saves on bed stays. It costs quite a bit of money to operate, as you have to have a technician there—you do not want the robot going on strike halfway through an operation—in addition to the purchase cost.

To the credit of the Hon. Lea Stevens, who was minister at the time, she authorised this machine for the Royal Adelaide Hospital, accepting Gordon's donation, and then the government picked up the operating costs. Ironically, the person who wrote the cabinet brief supporting the machine's installation and operating budget had the operation himself on that machine a year or two after it was installed.

The new model can do very delicate, fine surgery. You still have surgeons who like the old-fashioned scalpel, but increasingly I think you will see a greater use of robotic surgery, just as you are seeing more robotic machines in factories, etc. The machine does not shake or get tired; it provides greater precision and enables the surgeon to operate with greater accuracy. That is very important in certain operations, otherwise, as you would understand, you can get significant nerve damage.

The new model would be able to do a lot more sophisticated surgery in terms of kidney operations, the removal of small tumours, and so on. With the operation I had with the robot, you end up with four tiny little scars across your midsection; it is amazing. That machine stitches you up internally and externally as well. It is a brilliant piece of technology which was designed for surgery on the battlefield or in outer space (which does happen) because you do not need to be anywhere near the machine in order to operate; the surgeon could be in Melbourne and operate it.

It is fantastic technology, but it is not cheap to buy or maintain. I know the government have publicly indicated that there is some manoeuvring going on behind the scenes but, as I said at the start, I urge the government that, if there is to be another donation—and I do not know for sure that there will be—there has to be a condition that something like this is available for everyone and not just for the select few.

Some people have said, 'Why isn't the government spending money on this when most people who have the operation are men? Isn't that discriminatory?' I am all for having the best technology for men and women. I notice the government is upgrading mammography equipment, because women tell me that when they have a mammogram, some of the old equipment is uncomfortable and unpleasant, and the new digital equipment is a lot more comfortable and probably more accurate, as well. I am all for that, and I think the government is spending something close to \$20 million with support from the commonwealth to upgrade that equipment for mammography. I think that is great.

So, my plea to the government is: time is running out in terms of the machine. It needs to be replaced. I would like to see a definite commitment outcome in the very near future because, as I say, I know of just one surgeon who has done over 1,000 operations. There are a lot of people out

there who want to see this machine on offer again. Not surprisingly, a lot of the greatest supporters of men's health are actually women, because they care about the men in their life, whether it is their husband, father, uncle or sons.

So, I put this motion. I would urge the Minister for Health to help—pardon the pun—stitch up an arrangement so that we can have the Da Vinci available, and if it is going to be in a private hospital, then on the condition that it is available to the general public.

I and a lot of others in the community want to see a definite commitment in the very near future that this wonderful piece of technology will continue to be available, not just for surgery on men but also throat cancers, kidney cancers, gynae cancers and all sorts of things. It will not be long before this sort of machine, if we get the new model, will be able to do a whole range of sophisticated surgery with minimal impact on the patient and shorter bed stays. I commend this motion to the house.

Dr CLOSE (Port Adelaide) (11:57): I move to amend the motion as follows:

That this house commends the state government for its long standing support for the Da Vinci surgical robot at the Royal Adelaide Hospital, and notes that the state government is currently considering the options available for replacing the current model.

The SPEAKER: Could the member for Port Adelaide supply me with the text?

Dr CLOSE: I am pleased to speak to this amendment, having a personal interest in this machine. A close friend's life was probably saved by the Da Vinci robot, and ever since he went through that experience I have been fascinated by this extraordinary machine.

Just to give some background, the current Da Vinci robot used at the Royal Adelaide Hospital was donated to the state in 2004 by the Pickard Foundation. It is a sophisticated robotic platform designed to expand the surgeon's capabilities and offer a minimally invasive option for major surgery. It is an alternative to other laparoscopic techniques or open operations.

This machine has been used to perform over 3,000 major procedures with minimal morbidity. The overwhelming majority of cases have resulted in a hospital stay of 23 hours. The majority of the procedures the machine has been used for are urological; however, a number of gynaecological and laryngeal procedures have also been performed, significantly reducing lengths of stay for the patient. Also, following ear, nose and throat surgery, the need for tracheotomy and post-operative care in the intensive care unit has been reduced.

A large percentage of the patients treated using the machine are private patients. For example, at 1 June 2012, of the 594 patients that had been treated with the machine in 2011-12, 255 were private patients, or 43 per cent. The company that manufactures the robot has indicated that it will be unable to support the current machine beyond 2013. The cost of replacing it will be in excess of \$3 million, with an annual maintenance cost of \$300,000. In addition, it costs \$6,000 in consumables each time the machine is used.

As this amendment to the motion states, the state government is currently exploring the options available for replacing the existing model. One possibility would be the establishment of a private partnership which the Department for Health and Ageing is considering. Any recommendations will necessarily be made within the context of SA Health's current financial situation and considered alongside other clinical equipment requirements.

Debate adjourned on motion of Mr Goldsworthy.

CARBON TAX

The Hon. R.B. SUCH (Fisher) (12:01): I move:

That this house acknowledges the introduction of a carbon tax and the rationale for its introduction.

I know members in here are very astute and they will notice that the motion is expressed essentially in neutral terms because it has been, and still is, somewhat controversial, but once again I think my motivation is to get us to discuss and debate some of these key issues. So, I did not come in with a strong motion advocating or supporting a carbon tax or opposing it. I thought this would be an opportunity to explore some of the issues.

Our carbon pollution levels are very high given our population size and our economy and that is largely because a lot of our power generation is based on coal, as we know in South Australia it is brown coal; Victoria, brown coal; New South Wales, black coal; and Queensland is also another source of black coal, and Western Australia too. I am not sure of the grade of their

coal, down near Collie. I think it is probably a bit between our brown coal and the New South Wales black coal.

Australia produces more carbon pollution per head of population than any developed country in the world, more so than even the United States, and that is largely for the reason I just outlined. Our carbon pollution is growing by almost 2 per cent a year and, even taking into account the renewable energy target and the carbon farming initiative, by 2020 our emissions are expected to be about 22 per cent higher than in the year 2000.

Governments around the world have agreed to limit carbon pollution so that an average global temperature rise can be held below two degrees Celsius above pre-industrial levels. It remains the policy of both the federal government and the federal opposition to cut greenhouse gas emissions by up to 5 per cent below 2000 levels by 2020.

As I indicated before, electricity generation is responsible for just over a third of Australia's total carbon pollution; direct fuel combustion, reflecting the use of gas and other fuels in industries and homes, accounts for another 15 per cent; and transport and agriculture each contribute around another 15 per cent. The remaining sources are fugitive emissions, mainly the methane and carbon dioxide that escape when coal is mined and gas is produced, plus pollution from industry and from landfill.

It has often been argued that a carbon price is the most environmentally effective and cheapest way to reduce pollution, and I want to come back to that in a moment. Under the carbon pricing mechanism, several hundred of the country's biggest polluters, a figure reduced from the original estimate of 500, will be required to pay for each tonne of pollution they release into the atmosphere. So, it is a 'polluters pay' model, in theory.

This is also meant to create economic incentives to reduce pollution in the cheapest possible ways, and these incentives will flow through to the economy. The carbon price is meant to make lower polluting technologies, or encourage the use of them, especially clean energy technologies, and make them more competitive by boosting investment in them, triggering the transformation of the economy towards a clean energy future. The carbon tax is a serious, complicated long-term issue for Australia that encompasses:

- raising a price on carbon;
- collecting significant revenue from that price;
- providing quite large tax cuts that improve economic efficiency;
- substantial family payments;
- support for trade exposed industries; and
- support for renewable energy.

In general, there is no dispute amongst economists that you will reduce emissions by a specified amount at a lower cost with an economy-wide price on emissions.

A market-based approach, that is, a price on carbon, offers lower economic cost for the same amount of mitigation as a regulatory approach, i.e. government intervention in particular industries on a case-by-case basis to reduce emissions. The opposition, federally, has proposed the latter as part of their direct action plan, that is, government intervention in particular industries on a case-by-case basis. The theory is that in market operation, businesses will respond to that via incentives and find the lowest cost way of doing things, and the Productivity Commission has basically said the same thing.

The carbon tax will charge businesses for every tonne of carbon dioxide or equivalent greenhouse gas they emit. It is meant to reduce energy use and drive investment in clean technology and is the first stage of a scheme to cut Australia's greenhouse emissions, as I said earlier, to 5 per cent below 2000 levels by 2020. All companies that emit more than 25,000 tonnes of CO₂ equivalent a year will pay the tax. It will apply to about 60 per cent of the country's emissions. Businesses will buy carbon units from the government to cover emissions; some will receive free units under the various compensation schemes.

Various prices have been set and some of these have changed in recent times. Companies can lower their carbon tax bill by claiming exemptions for emissions from a number of activities. These include:

- biofuels, biodiesel, renewable diesel;
- transport for agriculture, fisheries, forestry;
- domestic aviation;
- biomass (including burning landfill);
- agriculture;
- current landfill waste;
- synthetic greenhouse gases; and
- certain alternative fuels.

The government claims changes to the tax system and increases to pensions and allowances mean that most households will not be out of pocket, and there are various compensation arrangements.

Although households are not the target of the scheme, they may have an incentive to become more energy efficient, reduce their bills and be able to pocket the alleged \$10 plus compensation a week. A range of handouts and subsidies will help certain businesses cope with the effects of the tax—well, that is what is claimed—and around 40 per cent of carbon price revenue will go to businesses. The Clean Energy Finance Corporation will receive \$10 billion, it is claimed, over five years, and it will lend money to and invest in clean energy companies.

Some people have argued that Australia should have waited until there was more global action. They want to compare other the actions of other countries—usually United States and China—unfavourably with Australia. The USA, which was already doing quite a bit in terms of reducing carbon emissions, has maintained strong support for direct fiscal support for low emission technologies or strengthening regulations to reduce emissions via the Environment Protection Agency.

The USA has also facilitated the replacement of a very large part of coal-fired power generation by gas—the so-called gas revolution. Several states, including California, have legislated to introduce emissions trading schemes, and Professor Garnaut said in July last year that he is more confident that the USA will meet the President's stated goal of reducing American emissions by 17 per cent from 2005 levels by 2020.

China has provided a large amount of funding for low emissions technologies and energy efficiency, and it has also introduced pilot schemes for emissions trading schemes much like Australia's in five cities and two provinces. It is talking about generalising those into a national scheme if successful.

Scandinavian countries have been pricing carbon since 1991. This is one reason why Norway is not a carbon intensive country, despite being the only developed country with fossil fuel deposits comparable to Australia. Norway's emissions per head of population are 10.9 tonnes, and Australia's are 27.3 tonnes. For those who believe that a carbon price will impact on Australia's competitiveness, Denmark, Finland, Norway and Sweden have all been higher than Australia on the World Economic Forum's Global Competitiveness Index every year over the past decade, and they have occupied three of the top four places among 139 countries; in all years, three of the top 10.

The European Union established an emissions trading scheme in 2005 and has steadily tightened its parameters since then. The United Kingdom recently confirmed a considerable increase in the ambition of its emission reduction targets in the midst of continued economic pressures in the aftermath of the Great Crash of 2008.

What has been generated is often a fairly intensive debate. As I indicated before, the carbon tax pricing has changed in recent times. I personally thought a better approach than a tax would have been to set individual pollution targets for individual polluting companies, and if they did not meet those targets, they would have been penalised, but the model that has been introduced is much more complex than that.

We have this ongoing debate about whether the increase in carbon is leading to higher temperatures and affecting our weather, particularly in erratic and unusual ways. I think one of the points to be made when people are talking about changes in the weather is that, like in economics, you have to look at the trend line. You cannot just look at one week or one year because that will

give a very erratic view of what is happening. You have to look at the underlying trend in terms of global warming or increase in sea level and so on.

My own view is that we need to do something about carbon. I am not sure that the current approach by the federal government, which is meant to be an interim approach, is the best way to go about it. I am not convinced, either, that the alternative or the direct action model of the Liberal opposition federally will deliver much. It is great to encourage tree planting and things like that but I am not sure that those particular measures will deliver what is really required.

Contrary to what has often been said, countries like China are starting to do more with regard to carbon emissions. The point is sometimes made: why should we stick our nose out—wait until others. If you take that approach, you will never change anything because the others will say, 'We will wait until someone else changes.' I think it is appropriate that Australia seeks to be in the frontline in terms of being innovative and dealing with the issue of carbon, but I am not totally convinced that the current model is really going to deliver the goods. It is still early days, and if there is a change of government at the federal level, then we will have a different approach and a different system.

I come back to the original statement that I made. I would like to see a broader discussion of this issue. I believe it is an issue that has gone off the radar somewhat in South Australia, but we have a critical interest in this not only because of power generation through Leigh Creek and Port Augusta but also in terms of the impact of a carbon tax on our industries trying to compete overseas.

It is good to be doing things not just for the environment but ultimately for the welfare of the community, but it is not wise to be doing things that ultimately are detrimental to our people, our nation and our state. So in putting the motion up, I look forward to hearing what other members say.

As I said, I argued for a different model. Essentially what we have now it is 'polluter pays', so we are still allowing people to pollute. In effect, it is a licence to pollute. I favoured a simpler model that would have said, 'Look, we know what you do now; we want you to bring that level of pollution down within five years,' or whatever, 'to this point'.

So I commend the motion to the house. It is a big issue and a complex issue, and I am sure there is a divergence of views in this house but, as a parliament and as individual MPs, I think we need to be across this as best we can and try to ensure that not only are we doing the best for the environment but also the best for our people.

Ms THOMPSON (Reynell) (12:15): I wish to thank the member for Fisher for bringing this motion before the parliament but, at the same time, I do not think there is a lot more to say. The member for Fisher has very comprehensively outlined why we need action on carbon, and the fact that the mechanisms are complex and that not everyone agrees with the mechanism that has been decided upon by the commonwealth government. My preference would have been for the emissions trading scheme that was advanced by senator Wong when she was minister for environment, but we could not get the support of the Greens.

So there is a clunky scheme that has the majority support of the commonwealth parliament. That is the way parliaments work these days. Governments have a very difficult job in trying to bring together different interest groups to make something that works, and we all know that when we have done that it is often not the slinkiest scheme possible. However, the commonwealth government has taken a clear position that we must do something about carbon emissions, and this is a position supported by the state government.

Target 59 of the South Australian Strategic Plan seeks to reduce South Australia's greenhouse gas emissions by 60 per cent by 2050. The mechanisms that the commonwealth has introduced will see annual emissions reduced by at least 160 million tonnes in 2020 from where they would have otherwise been. This is equivalent to taking 45 million cars off the road. At the same time the commonwealth is using all revenue raised through putting a price on carbon to provide tax cuts and increased benefits to households, support jobs in the most affected industries, and generate new, cleaner forms of energy.

I note the recent series of floods and bushfires that the Australian east coast is going through, as well as some disasters in the West; fortunately, we have not been the target of the recent disasters but summer is not over. The frequency of disasters in Australia must make us ask

what is happening. In one of the television reports I saw one farmer who said that he thought that was the fifth one-in-100 year event he has now lived through.

We do not know a lot about the history of our planet over the last 2,000 years, but we certainly know that during the time of white settlement of Australia these last 10 to 15 years have been extremely unusual, to say the least. Things are different, and we are seeing the consequences. We have to rely on the scientists who tell us that if we do not start acting now the consequences will be even more drastic.

It is not easy to change the way we have been working; it is not easy to change the way industry has based its pricing mechanism; it is not easy to change the way we run our households and our lives and our use of cars.

However, it will not be easy if the climate changes massively, if our houses are no longer suitable, if the crops we grow are no longer able to be grown or if we are exposed to more and different sorts of disease. These sorts of predictions are now really the consensus of the scientific community, and they produce a life that is not easy. In my view, the commonwealth government has done the best it can in a very difficult situation to start protecting us from the devastation that could otherwise come.

Economists and respected institutions such as the Organisation for Economic Co-Operation and Development and the Productivity Commission see that putting a price on carbon is the most environmentally effective and economically efficient way to reduce carbon emissions. The carbon pricing mechanism forms part of the commonwealth's Emissions Trading Scheme and the Clean Energy Future package, which together seek to address the challenges posed by climate change.

The Clean Energy Future package provides compensation to nine out of 10 households. It aims to shield low-income groups and pensioners from cost increases related to a carbon price. Industry assistance will also be provided to support jobs and competitiveness in the transition to a low carbon economy. The commonwealth government has also announced that it will establish a \$10 billion commercially oriented clean energy finance corporation as part of its Clean Energy Future package to fund investment in renewable energy, low pollution and energy-efficient technologies.

In addition to this, the Land Sector Package will provide support for farmers and land managers to pursue climate change action on the land and enhance biodiversity. We are not alone in the actions that we are taking. The recent inaugural speech of President Obama indicated that he wants to lead the US into even greater action, but already China, India and Brazil are working to reduce their carbon footprint, and mechanisms have been long in place in some of the European countries, particularly Scandinavian countries, as indicated by the member for Fisher in his comments.

It is quite clear that things are changing in terms of the climate. It is quite clear that carbon emissions and pollution are the cause of many of these changes. It is quite clear that action is required and it is quite clear that the commonwealth government did the best it could. It is also quite clear that the South Australian government and I personally support the commonwealth in its actions in the hope that we can provide a better future for our children, grandchildren, great nieces and great nephews, for those of us who look to that regard.

Mr PEGLER (Mount Gambier) (12:22): I rise to give a different side to this story. I believe that it is the greatest con job that this nation has ever seen. The model that has been introduced is more about taxation—another form of taxation—than actually reducing carbon pollution. If we look at the results being proposed by the government, the reduction in our country's contribution of carbon pollution to the world will be about 45 microns in a kilometre, a bit like dropping a human hair on the Sydney Harbour Bridge.

We all talk about climate change a lot. I think we must all think about climate change properly. Climate change actually began at the time of creation. We look at the carbon that is now going into the atmosphere; it actually started in the atmosphere. When the world was very prolific and the animals grew large and there was a lot of vegetation, that was when the oil, the gas and the coal were formed and deposited into the earth's crust, and we are now releasing some of that back into the atmosphere.

That may not be a good thing, and I would support our nation doing something about pollution and about how much carbon is going into the atmosphere, but we should not do it through

taxation. What we should be doing is giving better incentives to our industries and to our people to reduce their pollution. There is an old adage: you will catch more flies with honey than you ever will with vinegar. All we are doing is throwing vinegar into this argument. I am certainly against the present model that we have in this country, and I will be voting against this motion.

Dr CLOSE (Port Adelaide) (12:26): I rise to support the motion. I do this because I accept the expert advice in two fields: climate science and economics—one describes the problem and the other the way to get the most rational and efficient solutions. Climate science tells us that human activity is responsible for releasing stored carbon into the atmosphere resulting in a concentration of carbon dioxide that has not been experienced probably for millions of years, certainly for a time that pre-dates our modern way of living, with huge populations in fixed cities. We know that the earth's climate has waxed and waned over its history and that the earth has been almost completely covered in ice and almost entirely ice-free at different times. We know that the shorelines, plant life and stability of weather patterns have been wildly different in the past.

For the past 10,000 years, humans have been able to grow remarkable civilisations, in large part because of the stability of weather that has allowed us to reap the full benefit of agriculture. That stability is unusual in the earth's history and a world with a more energetic atmosphere—that is, one with more heat energy caused by greenhouse gases—is likely to imperil that stability.

In our use of fossil fuels (literally the fuels that release the energy of hundreds of millions of years of life) we have made great strides and progress in feeding our growing populations, in clothing, housing, and protecting us all. However, there has been a by-product of this development, an unplanned and undesired by-product, which is the increase of carbon dioxide and related greenhouse gases in our atmosphere.

I will just interpolate that there are so many arguments used to suggest that there is no anthropogenic climate change caused by the emissions of greenhouse gases, but I cannot possibly address them all. For people who are generally interested in the arguments I recommend the website skepticalscience.com.

So, what do we do about this: in essence, a pollutant that we must either absorb or not emit at all? The answers are, fortunately, many and varied. While there is great hope for technologies currently in the R&D phase that will make the solutions even easier, we have a range of energy production and carbon capture options—including the simplest of all which is plant life—before us right now.

The market is a powerful beast, innovative in chasing new dollars and capable of rewarding what makes money and ignoring the inefficient and wasteful. What we must do is harness the market to work to reduce the amount of carbon dioxide that reaches the atmosphere. Introducing a price on carbon and a market in carbon offsets does exactly that. Rather than governments picking favoured options, the market, once given the incentives, is capable of unearthing and encouraging the fastest and cheapest ways to bring carbon emissions down.

Australia is hardly alone in having worked this out, and joins a long list of governments that have made the step towards rewarding those who are part of a new low-carbon economy. There has been a lot of politics played with this issue and that is a pity. Many of us have children and some have grandchildren, and I venture to suggest that all of us here care about the next generation and what they will inherit. Pretending that the science is other than it is or that the market works sometimes but not when it suits us is a shame.

I have watched politics sink lower and lower in people's estimation in the last 15 years. I have seen debates, largely not in this house or in the other place, that have chosen to ignore truth and justice and, instead, have played to what people wish was true or what their fears tell them might be true. Our responsibility as members of parliament, as representatives of the people, is to behave better than this. We must look clear-eyed at the science, whether or not it suits us, and we must plan for a longer future than the next election alone—if we don't, no one will.

Mr BROCK (Frome) (12:30): I also rise to talk to the motion by the Hon. Bob Such. I will make it quite clear that I am very interested in and aware of changes in our environment, making sure that we protect our communities going forward, ensuring that we have new technology, and to look at ways of not only improving our technology but also the way we operate and the way we live. However, as the member for Mount Gambier has indicated, I think this is the biggest rip-off of all time. It is a tax, and there are lots of people out there and industries that are still polluting. They

can still pay and they can still pollute but, at the same time, if you are doing that, you are not creating any improvement in the pollution.

I will just go back to an issue when I was the mayor of the Port Pirie Regional Council. I went to a climate change conference in Adelaide. I went to that before lunch and I was convinced when I went to lunch that we had to do all these issues and, as the member for Port Adelaide has indicated, look at the scientific evaluation and the advice from the scientists. When I went to lunch I was very convinced that we had to do all these things to improve the issue, to reduce climate change. After lunch, I went back to the second stage of that conference. Again, there were professional and qualified scientists there and the view was completely opposite. How can anyone make a decision when there are two different views out there on one day on how we can control climate change?

As the member for Mount Gambier has indicated, since day dot climate change has been going on all the time. There has always been carbon in the environment, but it is a very small issue compared with other issues that we have to face. If we are going to go forward with reducing our carbon, we need to do it worldwide, not in a small environment.

Currently, the way it happens at the moment, the revenue that is collected from us here should go back into industries to be able to improve, but there are many industries and one of those industries was my ex-employer at Port Pirie, the major employer of our community, Nyrstar Port Pirie smelter. They are paying \$10 million a year—and I stand to be corrected on that official amount—in carbon tax and at the same time they still need to try to trade on the world environment and the world market. They also have to try to improve their facility there to reduce their carbon footprint and the emissions to be able to reduce that tax.

What should happen, as the member for Mount Gambier indicated, is that industries that were polluting should have been given a time frame to reduce their pollution and, if they did not do it in that particular time frame, then they should be penalised. What happens at the moment, from my understanding, is that the revenue goes back to certain industries. The alumina industry does not get anything, the lead smelter in Port Pirie does not get anything, but the zinc smelter at Hobart gets a portion. It is to do with the criteria.

I am certainly one to safeguard and to produce the best ways for our children, our grandchildren and so on, but I say there is a way of doing it. I just think that the carbon tax, and the way it has come in, has been handled wrongly and, as the member for Reynell has indicated, it has been done by the commonwealth government. We have to wear that currently at the moment, but certainly I am not in favour of the carbon tax in its present form and I certainly will be voting against this motion.

The Hon. I.F. EVANS (Davenport) (12:33): Mr Deputy Speaker, I congratulate you on your appointment to the role. The opposition will not support the motion only on the basis that we want to make it crystal clear that we oppose the carbon tax. I know that the member for Fisher argues that the motion is relatively neutral and, in fairness to the member for Fisher, I think that is a fair reading of the motion, but of course in this place debates are often misconstrued and used publicly in an unfair manner. The opposition knows that if we vote for this motion, the government will trot out some spokesman or other in the future saying that somehow the state opposition has a different view from the federal opposition.

So, although we respect the member for Fisher's sincerity in moving what is a 'carbon-neutral' motion, the opposition will be opposing this particular motion. The reason we are going to oppose it is to make it crystal clear to Australia that the opposition, both federal and state, are opposed to the carbon tax. This will be a central issue to the forthcoming campaign because we currently have a Prime Minister, as you are aware, Mr Deputy Speaker, who went before the Australian public and said there would be 'no carbon tax under a government I lead' and then went about introducing this particular carbon tax.

It follows on other great Labor leaders who have misled the Australian public before election. I am still waiting for my Paul Keating 'L-A-W' tax cuts. I know they will come through eventually, but we are still waiting for them. I am still waiting for Bob Hawke to deliver the promise that no child will live in poverty. The reality is that the carbon tax is a central issue to the forthcoming federal campaign. It is an impost on virtually every aspect of our life and South Australian electricity prices have increased significantly because of the carbon tax.

Mrs Geraghty interjecting:

The Hon. I.F. EVANS: I know the member for Torrens keeps interjecting because she is one of the great fans of the carbon tax. They love it over there. We asked the Premier on his first day whether he supported the carbon tax, and he said that he did. We asked the then minister for energy about supporting a carbon tax, and he did. The Labor Party can run around in South Australia all they like talking about the concerns they have about costs of living, but they stand at the pulpit crying tears for the poor people in the suburbs about their cost of living, and at the same time they have their hand in their pocket trying to tax them on a carbon tax.

The Labor Party's answer to everything is a new tax. The reality is that this carbon tax ultimately will be sorted out at the next federal election. There is a very simple way to reduce your cost of living, and that is to vote in an Abbott government, because it will get rid of the carbon tax and that will reduce your electricity costs.

Mrs Geraghty interjecting:

The Hon. I.F. EVANS: The member for Torrens keeps interjecting. I ask her simply to confirm one thing when she interjects or makes a speech: is it true that, if the carbon tax is taken off electricity, prices will be cheaper? If it is, why are you opposed to cheaper electricity prices? That is ultimately a very simple question the Labor Party will have to answer. This motion simply says that we acknowledge the introduction of a carbon tax. That is fair enough—it has been introduced.

Mrs Geraghty interjecting:

The DEPUTY SPEAKER: Order!

The Hon. I.F. EVANS: There was some rationale at some point as to why it was introduced at the federal government level. The reality is that this carbon tax will be sorted out at the next federal election. I was interested to note the passionate contribution by the member for Reynell about an emissions trading scheme. I was interested to note the passionate contribution about the need for an emissions trading scheme, but I will come back to that particular issue another day. The opposition will not support the motion, even though we respect that the member for Fisher has tried to introduce it in a neutral manner, but for perception and clarity purposes we are opposing it.

The Hon. J.D. HILL (Kaurna) (12:38): I am pleased to speak to this motion and thank the member for Fisher for bringing it forth. It is always good to get a little bit of passion going first thing in the morning. It is good to see that the member for Davenport can still pull out a leadership speech when he needs to and I am glad that the baton is still there in his knapsack. It strikes me as somewhat ironic, listening to the member for Davenport criticise those who have introduced taxes, because he is one of the few members opposite who actually introduced a tax. I refer to the emergency services levy—that is his own tax.

The Hon. I.F. Evans: You supported it!

The Hon. J.D. HILL: Whether or not we supported it, it is your tax. You cannot come in and criticise government for introducing necessary taxes when you have done it yourself.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.D. HILL: I have introduced taxes too. I am one of the few people on this side to have introduced taxes. I am pleased about the taxes I have introduced because they have been for the benefit of our state. You cannot run an argument, if you are serious about being in government, that all taxes are bad and that you can run as a society without having taxation. That is the depth of the hypocrisy on the other side when it comes to this debate. Taxation is part of the way that governments operate.

Mr Pengilly interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.D. HILL: Well, please get up and say something, member for Finniss. You like to say a lot from the backbenches over there, yelling a lot, but when it comes to sensible contributions to proper policy issues, you have very little to say. I would also like to note that, in the contribution of the member for Davenport, he did not address the substance of the issue, namely, whether or not he supports action on climate change. This side of the house is very clear: we do need to take some action in relation to climate change. There needs to be a structure in place that

tells the market whether or not carbon is something that is approved or disapproved. There are a range of ways that it could have been done, and the member for Fisher outlined some of those.

I have to say to him—he described the federal government's arrangements as a licence. I do not think that is correct. I think what he was proposing in fact was more of a licensing arrangement where you would say to an individual industry, 'You've got a certain amount of carbon you can produce and over time it has to be reduced.' That seems to me more akin to a licensing arrangement. If you were to set up a licensing arrangement then of course you would have tradeable licences and people would be able to buy licences, which they could then sell on the marketplace and you would end up with some sort of trading scheme, I guess, that came from that.

The other solution that was suggested by the member for Mount Gambier was that there should be an incentive and that governments should, I assume, pay industry to reduce pollution. That is also based on taxation. Where does government get its money from? It gets it from collecting taxes. So, rather than having a tax on the polluter, you would have a tax on the general community, which would then pay that money—that tax—to a particular polluter as a way of encouraging them to reduce. It is still a tax-based system, whether or not it is broadly based or specifically based.

These are complex issues. I think the federal government was forced to do something; the community wanted it to do something. They were forced to do what they did because, as the member for Reynell said, the Greens would not accept the original proposition. That is the practical reality. You cannot come in here and say, 'All tax is bad. Any government that puts a tax in place should be voted out of office.' It is absolute arrant hypocrisy. The member for Davenport introduced a tax; he supported it and he still supports it, and that is the reality of it.

Mr PENGILLY (Finniss) (12:41): Yes, the member for Davenport did introduce the Emergency Services Levy. However, what the member for Kurna fails to bring to the attention of the house is that a heap of other imposts on South Australians went to bring in the Emergency Services Levy, like the fire levy on insurance. They all disappeared, along with a number of other things, and he failed to bring that to the attention of the house—conveniently, I might add.

The Hon. J.D. HILL: Mr Deputy Speaker, I ask the member to withdraw that comment. He is reflecting on me that somehow or other I attempted to mislead the house by conveniently leaving out a fact that he thinks is appropriate. It is up to him to argue whatever facts he likes, but he cannot reflect on me.

The DEPUTY SPEAKER: If the member did reflect on the member for Kurna, he should withdraw.

Mr PENGILLY: No, sir, I did not reflect on the member for Kurna. I merely pointed out that, in having a crack at the member for Davenport in introducing the Emergency Services Levy, no mention at all was made of the fact that a heap of other charges were reduced. It is absolute nonsense; I will not withdraw. Why should I? That is just the way it is.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr PENGILLY: I do not support the motion of the member for Fisher, and I think a number of speakers on this side of the house have also indicated that, for very good reason. The fact of the matter is that, if you want to reduce the carbon footprint and have less pollution—which everybody wants; there is no argument over that whatsoever—why would you not introduce nuclear energy? I know the member for Newland is a great advocate of it and I know there are other members on the other side who are great advocates of it.

However, what has happened here is that the current federal government—which will be consigned to history on 14 September, I might add, in no uncertain terms—have inflicted taxes on the Australian community that they deliberately said that they were not going to introduce (mining taxes and carbon taxes and whatever else). They turned around and introduced the whole gamut. If you take away this carbon tax and the mining tax, you will reduce the cost of living to Australian families. That is what it is all about.

Ask the member for Frome what the impact will be up in his electorate, in the great city of Port Pirie, which the Labor Party claim to love. They disagree with it completely—absolutely and completely. I think it is a nonsense. Why on earth would this side of the house even consider supporting such a motion as the member for Fisher has put. He is quite within his rights to

introduce it, and I respect him for that, but there is absolutely no way that this side of the house—or the Liberal Party—as explained by the member for Davenport, is going to support such a motion, when it is our policy to get rid of it federally, and the sooner the better.

The DEPUTY SPEAKER: If the member for Fisher speaks, he closes the debate.

The Hon. R.B. SUCH (Fisher) (12:45): I think I had better close it before it gets too heated and there is too much carbon generated in here. I think it is great to have the former minister, the member for Kaurna, in here contributing to the debate. I look forward to the member for Elder coming in here, too, in private members' time; he might liven things up as well.

It is a passionate issue. I understand the logic put forward by the member for Davenport that, whilst my motion is essentially a fence-sitting motion, by simply acknowledging that there is a carbon tax and acknowledging the rationale, it does not mean that you agree with it. I understand why the opposition will not support the motion—because they do not want to be seen in any way, shape or form to be associated with the carbon tax.

In terms of the point made by the member for Kaurna, I could have chosen my words more carefully. When I said 'a licence to pollute', I did not mean a licence as in a piece of paper; I meant freedom to continue to pollute. That is what I meant, but I should have been a bit more precise. It is just as well the Speaker is not in the chair, or else I would have been put in chains and thrown out. I meant freedom to continue to pollute and not a licence as in a piece of paper. Anyway, I take what he said; he is quite correct.

It is interesting how people get into who said what and who promised what. I remember, because I was in the government at the time, a promise, 'We will not sell ETSA, full stop.' It was sold shortly after, much to my annoyance, and it was one of the reasons that I chose to leave the Liberal Party—that and some other reasons. I remember a federal prime minister by the name of John Howard saying that he would not be having a GST. I know people say that they had to sell ETSA because of the State Bank. I think people should have look at why the State Bank fiasco occurred, and I would say that 60 per cent was the fault of the government and 40 per cent was the fault of the opposition.

The opposition at the time pushed very hard in the upper house and elsewhere to free up the State Bank so that it could act like a corporate entity and do what it wanted to do. So, the blame for that, and then the subsequent impact of the claim of having to sell ETSA to pay for the debt—if you look back, and I urge members to look back at *Hansard*—is seen in the turning of the State Bank into a corporate cowboy, if you like, and was very much pushed by the Liberal Party at the time.

Returning to this issue, I was keen to have it canvassed, as I think it is important, and it is good to hear from my colleagues here. We obviously have different views about how to deal with carbon. I do not believe the current approach is necessarily the best one, but I think at least something is being done to tackle the issue of carbon. Like the member for Reynell, I put faith in scientists. All these learned people are not idiots; they know what they are talking about.

And then you get some person like Lord Monckton saying that he has all the answers. One of the sad things that has happened in our society—and I think we need to address it—is a reduction in awareness of scientific principles and an understanding of the scientific method. What we are getting now more and more are cowboy-type approaches to issues that are not based on science.

If we are not careful we will become an even more ignorant society unable to digest and understand issues in a way that is based on science. I see that as a very concerning trend, that a lot of the arguments about climate change and carbon budget are based on straight-out ignorance, not based on science, not subject to any peer review, and not subject to the scientific method, and that is one of the reasons that we have some of the problems we face in this society.

I know the opposition will oppose this motion. I think it is important in acknowledging what has happened in terms of the carbon tax. The motion does not approve of it necessarily, it just acknowledges that it exists and it acknowledges the rationale used for its introduction.

The house divided on the motion:

AYES (23)

Bedford, F.E.

Bignell, L.W.K.

Breuer, L.R.

AYES (23)

Caica, P.	Close, S.E.	Conlon, P.F.
Fox, C.C.	Geraghty, R.K.	Hill, J.D.
Kenyon, T.R.	Key, S.W.	Koutsantonis, A.
O'Brien, M.F.	Odenwalder, L.K.	Portolesi, G.
Rankine, J.M.	Sibbons, A.J.	Snelling, J.J.
Such, R.B. (teller)	Thompson, M.G.	Vlahos, L.A.
Weatherill, J.W.	Wright, M.J.	

NOES (15)

Brock, G.G.	Chapman, V.A.	Gardner, J.A.W.
Goldsworthy, M.R.	Griffiths, S.P.	Pederick, A.S.
Pegler, D.W. (teller)	Pengilly, M.	Redmond, I.M.
Sanderson, R.	Treloar, P.A.	van Holst Pellekaan, D.C.
Venning, I.H.	Whetstone, T.J.	Williams, M.R.

PAIRS (6)

Rau, J.R.	Marshall, S.S.
Piccolo, A.	Evans, I.F.
Bettison, Z.L.	McFetridge, D.

Majority of 8 for the ayes.

Motion thus carried.

GRAFFITI CONTROL (MISCELLANEOUS) AMENDMENT BILL

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (12:57): I have to report that the managers for the two houses conferred together and it was agreed that we should recommend to our respective houses:

As to Alternative Amendment No 1—

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

Clause 4, page 3, line 2 [clause 4(2), inserted definition of *graffiti implement*]*—Delete the inserted definition of graffiti implement and substitute:*

graffiti implement means—

- (a) a can of spray paint, other than a can containing paint that—
 - (i) does not contain a pigment; and
 - (ii) is transparent when sprayed onto a surface; or
- (b) an implement of a kind prescribed by the regulations;

and that the House of Assembly agrees thereto.

As to Amendments No 2, 3, 5, 6, 7 and 10—

That the Legislative Council no longer insist on its amendments

As to Alternative amendment No 4—

That the Legislative Council no longer insist on its alternative amendment

As to Amendment No 12—

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

New clause, page 7, after line 40—Insert:

14—Review by Legislative Review Committee

As soon as practicable after the expiration of 3 years from the commencement of this Act, the Legislative Review Committee must inquire into, consider and report to the Parliament on the operation and impact of this Act, including the effectiveness of sections 10A and 10B of the *Graffiti Control Act 2001* (as enacted by this Act) in reducing offending for prescribed graffiti offences (within the meaning of those sections).

and that the House of Assembly agrees thereto.

[Sitting suspended from 12:59 to 14:00]

SPEAKER'S RULING

The SPEAKER (14:01): Yesterday, in question time, the member for Unley said on a point of order that the premier had imputed improper motives to the member for Davenport by calling him, and I quote, 'tricky'. I took on notice the point of order and I asked the Clerk to research whether the term was unparliamentary.

I have now reviewed the *Hansard* and the Premier did not call the member for Davenport 'tricky'. The Premier said, and I quote: 'that is the tricky sort of question'. Since there can now be no question of the Premier using unparliamentary language of the member for Davenport or imputing improper motives to him, I do not uphold the point of order and I propose to spare the Clerk the onerous task of researching rulings on calling other members 'tricky'.

UNPARLIAMENTARY LANGUAGE

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:01): I seek leave to make a personal explanation.

Leave granted.

The Hon. J.W. WEATHERILL: Yesterday in the house, I used unparliamentary language to describe the Leader of the Opposition, which you asked me to withdraw and I did withdraw, but I now wish to apologise directly to the Leader of the Opposition and to the house. This is below the set of standards that I have set for myself and this chamber. It is no excuse that I was upset by what I regarded as a discourtesy by the Leader of the Opposition. It does not excuse the fact that I used unparliamentary language.

The SPEAKER: Could I add to that that it is a long held convention of the house—it is not in standing orders—that we do not refer to each other's position in the house or that we are in the house or not in the house, for that matter. As I say, it is a convention.

WATER PRICING

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

Leave granted.

The Hon. J.W. WEATHERILL: South Australian Labor governments have a proud history of providing relief against the costs of living. Former premier Don Dunstan introduced the first state concession regime, and Labor governments since have moved to increase concessions when circumstances have allowed.

This government understands the concerns South Australians have about cost-of-living pressures, and this is why we have moved to ease some of the burden. We have moved to ease the burden of electricity prices, deregulating prices and locking in a 9.1 per cent discount from AGL for the next two years. We are moving to reform the compulsory third-party insurance regime to decrease the cost of premiums for motorists, and last year we limited the impact of water price increases through the water rebate.

Over the past five years, there have been substantial increases in water prices. These have been necessary to recoup the cost of significant investment in water infrastructure, principally to pay for the new desalination plant and interconnection pipeline linking our two main reservoirs. These measures have been undertaken to secure our water supplies into the future.

Our water infrastructure not only provides for our drinking water, our public health and our amenity, it is also critical economic infrastructure. We live in the driest state in the driest inhabited continent. Throughout our history, South Australians have been concerned about having enough water. Through these investments, these days are now behind us.

But the cost of this infrastructure and the water price increases necessary to fund them have been significant. This is why last year the former treasurer moved to ensure that our independent regulator, the Essential Services Commission of South Australia (more commonly known as ESCOSA), would set SA Water's revenues. This move is designed to limit future price increases for South Australians, while preserving the role of ESCOSA as an independent regulator.

Today, ESCOSA has released its draft determination on water revenues for SA Water for 2013-14 and the revenue path going forward. The draft determination outlines a real decrease in water revenues of 5.4 per cent for 2013-14 and no revenue increase in real terms for the two years following. It also outlines a real increase in sewerage revenues of 1.7 per cent in 2013-14 and no revenue increases in real terms over the price path.

This government welcomes this draft determination. If ESCOSA maintains a similar revenue path in its final determination, the government will be able to deliver a cut in water prices to South Australians. We will be working through the detail of the draft determination, and I look forward to coming back to the house to advise of the final water prices once the process is completed.

HEALTH DEPARTMENT

The Hon. J.J. SNELLING (Playford—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for Defence Industries, Minister for Veterans' Affairs) (14:07): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.J. SNELLING: I have asked two of South Australia's leading public servants to join a team to drive reform in the state's health system as part of an overhaul of the Department for Health and Ageing. I have invited the—

Members interjecting:

The Hon. J.J. SNELLING: I have invited the chief executive of the Department of the Premier and Cabinet, Jim Hallion, and Under Treasurer, Brett Rowse, to help establish the Health Reform Advisory Committee, and at the same time changes made to the executive structure and further streamlining of bureaucracy in the department will save about \$1.3 million every year. Mr Hallion and Mr Rowse will be joined in the HRAC by the current chief executive of the Department for Health and Ageing, David Swan, and former Queensland and New South Wales health director, General Professor Mick Reid.

South Australia has the best health system in the country, and I want to keep it that way. The recent Report on Government Services showed that we were well above the national average in elective surgery, emergency departments, and the number of available beds. We also led every state with the number of employed nurses and medical practitioners per head of population. While this is undoubtedly good news, in recent years the activity in the health system has grown by around 2 per cent every year, but the amount we spend on health has grown by around 8 per cent. This is not sustainable.

Professor Reid has a long and successful leadership history in Australian health care, having spent more than 30 years working in the health and human services industry. His skill set will be valuable combined with the public sector knowledge of Mr Hallion and Mr Rowse and the health knowledge of Mr Swan.

The HRAC will drive reform in the state's health system and make sure it is operating as efficiently as possible. It will operate for at least 12 months. A new executive structure for the Department for Health and Ageing will also come into effect immediately.

The new arrangements are designed to streamline the executive reporting structure to ensure we provide safe, high quality and affordable health care now and into the future. As part of the restructure, Steve Archer and Jenny Richter have been appointed to the redefined roles of deputy chief executive. As Deputy Chief Executive of System Performance, Jenny Richter will retain responsibility for the health system performance functions with the added responsibility for Mental Health and Substance Abuse as part of the broader system performance directorate. As

Deputy Chief Executive of Finance and Business Services, Steve Archer will be responsible for the functions of Finance and Office for Business Review, and Implementation and Procurement and Supply Chain Management.

The Ageing Division will be integrated in to Health System Development for the new Policy and Commissioning Division. Executive Director of Ageing, Mr Greg Mackie OAM will spend his last day in that position tomorrow. I would like to thank Mr Mackie for his hard work and dedication in leading the Office for the Ageing during its transition into SA Health. Mr Mackie has served the South Australian public in several different roles with great distinction and I am confident that he will continue to do so. The services provided to the aged, such as Seniors Cards, including the successful transition to Metrocards, Community Benefits SA and Positive Ageing grants as well as Aged Care Assessment will continue.

QUESTION TIME

EMPLOYMENT FIGURES

Mr MARSHALL (Norwood—Leader of the Opposition) (14:11): My question is to the Premier. Can the Premier explain why, after choosing jobs over the AAA credit rating, there are now 7,500 more unemployed South Australians under his premiership?

Mr Pengilly interjecting:

The SPEAKER: I call the member for Finniss to order.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:11): I thank the honourable member for his question. The short answer is that the government infrastructure projects that we have invested in that were outlined, the \$9.3 billion in infrastructure projects spending over the next four years, are—

Members interjecting:

The Hon. J.W. WEATHERILL: Well, let's look at them: Adelaide Oval Redevelopment, 1,200 jobs; \$350 million Adelaide Convention Centre upgrade; SAHMRI, 320 jobs; new RAH, 3,000 jobs; footbridge at the Adelaide Oval, 170 jobs—

Mr Whetstone interjecting:

The SPEAKER: I call the member for Chaffey to order.

The Hon. J.W. WEATHERILL: —and yard upgrade, 170 jobs; the South Road Superway, 2,100 jobs; the duplication of the Southern Expressway creating 1,040 jobs; the Seaford Rail Extension, 610 jobs; the Goodwood Junction, 250 jobs; \$100 million Adelaide to Melbourne Road Corridor, 150 jobs—

Members interjecting:

The SPEAKER: I call the member for Morialta and the member for Heysen to order.

The Hon. J.W. WEATHERILL: There are 9,310 total direct jobs created as a result of this infrastructure spend, and that is without counting the flow-on jobs that occur in the rest of the economy. Nearly a third of our infrastructure spend is in the CBD and, as a result, we have leveraged billions of dollars of private investment in this city, as well as the investment that has been brought about through the new planning regime that has been shepherded through by the Deputy Premier. The essential point is that without this investment, of course, the position would be so much worse.

Ms Chapman interjecting:

The Hon. J.W. WEATHERILL: Of course, and I don't accept the characterisation of the situation over the last period. What we have seen is that trend employment rose—

Mr Gardner interjecting:

The SPEAKER: I warn the member for Morialta for the first time.

The Hon. J.W. WEATHERILL: Trend employment, which is the reliable figure, rather than the seasonal figures which jump around, rose in the last month for the fifth month in a row, so we have seen 5,500 new jobs created over that period. That happens to be the factual material upon which we have based our analysis, but how much worse would the position be in relation to

employment if we were not making these public investments which are sustaining employment now and driving prosperity in the future? We would have the sort of headline that we saw in *The Age* on Monday, which was that that state is at a standstill. This is the vision that those opposite are proffering for the people of South Australia, and it is a vision we reject.

ORGANISED CRIME IN SPORT

Mr ODENWALDER (Little Para) (14:14): My question is to the Minister for Sport. Can the minister outline his reaction to the release today of the Australian Crime Commission's report into organised crime and drugs in sport?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (14:14): I thank the member for his question. The Australian Crime Commission today released the findings of a 12-month investigation into the extent of the use of performance-enhancing drugs by professional athletes, the size of this market and the extent of organised criminal involvement.

The Australian Crime Commission has identified that, despite being prohibited substances in professional sport, peptides and hormones are being used by professional athletes in Australia, facilitated by sports scientists, high-performance coaches and sports staff. Widespread use of these substances has been identified or is suspected by the Australian Crime Commission in a number of professional sporting codes in Australia. The Australian Crime Commission has also identified that organised crime identities and groups are involved in the domestic distribution of prohibited substances.

The commission has identified significant integrity concerns within professional sports in Australia related to the use of such prohibited substances by athletes and increasing associations with professional athletes and criminal identities. The Australian Sports Anti-Doping Authority has now taken over the investigation with the assistance of state and federal police.

This report provides an opportunity for government, regulatory bodies and the sporting industry to address these issues head on. The findings are shocking, and we must remain vigilant to fight the challenges to sports integrity. We will be working closely with the commonwealth and professional sporting authorities and bodies to ensure that we do whatever we can to help combat these challenges to sports integrity.

It should be noted that, in response to this report, the Gillard government, together with Australia's major professional sports, has announced tough new measures to crack down on the use of performance-enhancing drugs and unethical behaviour in sport. The federal government has introduced legislation to strengthen the Australian Sports Anti-Doping Authority's powers to enable the full and unhindered investigation of these issues. I understand that under this legislation, if persons of interest refuse to cooperate with the Australian Sports Anti-Doping Authority's investigations, they will be liable for civil penalties.

We need to restore community confidence in sport, and that is why we are planning, as a state government, to criminalise match-fixing in Australian sport with offenders facing up to 10 years' imprisonment. We will seek to curb sport as a market for organised crime. Preventing criminal acts related to sport is something that we will work on collaboratively in conjunction with our federal counterparts and sporting authorities in order to stamp out such practices.

EMPLOYMENT FIGURES

Mr MARSHALL (Norwood—Leader of the Opposition) (14:17): My question is to the Premier. Can the Premier explain why there have been 5,500 full-time jobs lost since Labor promised to create 100,000 new jobs?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:17): We do not accept that analysis. What we say is that trend employment rose in the last month and for five months in a row, and we have seen 5,500 new jobs created.

Ms Chapman interjecting:

The SPEAKER: The deputy leader will come to order!

The Hon. J.W. WEATHERILL: Indeed since, I think, June 2012 we have seen trend employment grow by 4,000 jobs despite the Treasury forecasts.

Mr MARSHALL: My point of order is relevance.

The SPEAKER: I hope it is indeed a point of order.

Mr MARSHALL: I didn't ask a broad question. I asked specifically about 5,500 full-time jobs, and that is the substance of the question—full-time jobs.

The SPEAKER: I think that was just an impromptu speech and an abuse of the right of members to take points of order. In my opinion, the Premier is addressing the substance of the question and we ought to let his answer unfold.

The Hon. J.W. WEATHERILL: Thank you, Mr Speaker. As I said, this reflects the strengthening of the labour market that is encouraging more South Australians to look for work, so we are seeing quite high labour force participation rates.

Mr Pisoni: Participation rates are down.

The Hon. J.W. WEATHERILL: No, they're not; they're up. That's a nonsense. This reflects a strengthening labour market, and over 127,000 jobs have been created since 2002. We continue to pursue what is an ambitious target, but it is a target that we set ourselves because we are ambitious for our state.

Mr Gardner interjecting:

The SPEAKER: The member for Morialta is warned for the second time, and there will be no further warnings.

The Hon. J.W. WEATHERILL: We are ambitious for our state. We value full-time employment and part-time employment. We value the growth in both of those categories because they represent very important ways in which a number of people can contribute to the labour force, including women. We don't think that it is an inferior matter to see the growth in part-time employment. We think that the growth in both categories of employment is important. Of course, we want to ensure that the rates of growth are as high as they possibly can be. That is why we are pursuing 100,000 extra training places to ensure that we have the skills that are necessary to take advantage of those growth opportunities.

I know those opposite are desperate to fix on any bit of negative news to try and talk down the South Australian economy and to talk down our prospects, but we have a different view about the state: that it is robust in difficult times and that we are—on any view of it, on any international comparison, on any comparison historically within this state—in a strong economic position. We will not let those opposite talk down the achievements of the South Australian community in dealing with and riding out what has been a momentous global financial crisis that has shaken out across the world.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens will come to order.

CONSUMER AND BUSINESS SERVICES

Mrs GERAGHTY (Torrens) (14:21): My question is to the Minister for Business Services and Consumers. Can the minister please inform the house about the take-up of the occupational licensing online renewal service, and how has this improved customer service?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (14:21): I thank the honourable member for her question. The new online renewal service for occupational licences was launched by Consumer and Business Services midway through last year. The service eliminates the need to attend CBS during business hours for an occupational licence renewal.

Being online, the renewal service is available 24 hours a day, seven days a week and provides instant confirmation of renewal. It cuts red tape for tradespeople and businesses, saving them time and money. It also creates improved efficiencies for CBS. The reduction in phone calls and processing of manual payments frees up staff to focus on other queries, creating further improvements in customer service.

In January 2013, approximately 1,000—just under a quarter—of the occupational licensing renewals for the month were processed through the new online service. CBS has been promoting the new online service via inserts in mail-outs and renewal notices to customers, with further

marketing channels to be implemented, including industry newsletters and electronic alerts. Customers can access the service on the CBS website at www.cbs.sa.gov.au.

CBS is providing online options for other services with the aim of creating greater efficiencies and red tape reduction for the public. CBS successfully launched stage 1 of the bonds online service in November 2012—we are talking here of bonds, as in tenancy bonds, not apparel. This service allows landlords, agents and tenants to access information relating to the status of a bond through a quick, easy and secure online facility.

This online service also saves customers time and provides greater flexibility to access information 24 hours a day, seven days a week, again through the CBS website. Stage 2 of bonds online will commence later this year. It will allow tenants, landlords and agents to manage the lodgement and refund of some residential bonds, effectively reducing the time taken to obtain a bond refund significantly.

BHP BILLITON

Mr MARSHALL (Norwood—Leader of the Opposition) (14:24): My question is to the Minister for Mineral Resources and Energy. When did the minister first become aware, either officially or unofficially, of the BHP Billiton job cuts that were announced yesterday?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (14:24): BHP and every mining company that deals with the state government that is ASX listed—I have a policy of never disclosing my conversations with them.

Ms Chapman: He didn't ask that.

The Hon. A. KOUTSANTONIS: Well, I'm answering it the way I want to answer the question. I am very, very careful about any disclosures I have with any company. The Premier answered that question yesterday. I am always concerned when any mining company reduces staff in South Australia. We want to encourage mining companies to invest in South Australia.

That's why we've brought into place royalty discounts, but, of course, BHP announced last year that they were cutting costs in their operations around the world. They were cutting costs in Canada, they were cutting costs in South Africa, they were cutting costs in Australia, in Queensland, New South Wales, Western Australia, and of course South Australia is not exempt to those. I am always disappointed when BHP reduces numbers at Olympic Dam. We want to see Olympic Dam grow. It's a world class ore body; we want to see it exploited.

This government, in a bipartisan way with the former leader, gave BHP every opportunity to succeed. We gave them every opportunity to succeed. Royalties, right through to certainty, environmental approvals—we did everything we could to get that mine up and running to expose the open pit, to enlarge the size of the mine. It is still the largest underground mine in Australia. It is still operating here. The minerals aren't going anywhere, and we look forward to BHP one day in the near future exploiting those minerals.

BHP BILLITON

Mr MARSHALL (Norwood—Leader of the Opposition) (14:26): A supplementary, Mr Speaker, and my supplementary of course is to the Minister for Mineral Resources and Energy. Given that the minister has told the parliament that he is unable to tell us when he first became aware of the job cuts, can he tell us when he conveyed that information to the Premier?

The SPEAKER: And that is an authentic supplementary question. Minister.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (14:26): I have nothing to add to my previous answer. Quite frankly, the one thing the Leader of the Opposition I think needs to understand, if he wishes to one day receive a commission—the truth is, when ministers who regulate ASX listed companies—

An honourable member: When?

The Hon. A. KOUTSANTONIS: If. When ministers who regulate ASX listed companies—my public pronouncements, things that I say publicly on the record, have consequences. They have consequences to the market; they have consequences to shareholders.

Members interjecting:

The SPEAKER: I call the member for Davenport to order.

The Hon. A. KOUTSANTONIS: I'm fascinated by the new tactic of the opposition by attacking News Limited for their front page story, because it was News Limited that published the \$20 trillion figure, not the state government. So, I am fascinated with the new tactic to attack *The Advertiser*. It must be part of their new cunning strategy to try and win office. The reality is, we want to encourage BHP to grow, we want to encourage BHP to invest, and we have given them every opportunity to do so.

BHP BILLITON

The Hon. I.F. EVANS (Davenport) (14:27): Supplementary, Mr Speaker.

The SPEAKER: I'll hear it.

The Hon. I.F. EVANS: The minister, in his answer to the house, said that the government did not publish the \$20 trillion value figure in relation to a recent oil find. Can the minister confirm to the house: did he use the \$20 trillion value figure on a radio interview, and can he advise the house where he got the \$20 trillion figure from?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (14:28): Yes, Mr Speaker, I can. From the front page of the daily newspaper which everyone in this house reads, and a very, very good read indeed.

Members interjecting:

The Hon. A. Koutsantonis: It's fake laughter. It's just contrived laughter.

Mr Whetstone: We're all laughing at you.

The SPEAKER: I warn the member for Chaffey for the first time. I can hear him up there, even if no-one else can.

HEALTH DEPARTMENT

The Hon. S.W. KEY (Ashford) (14:29): My question is directed to the Minister for Health and Ageing. Minister, in noting the ministerial statement you have just made, I am wondering whether you could outline your goals and priorities for the portfolio in line with the review that you have just announced?

The Hon. J.J. SNELLING (Playford—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for Defence Industries, Minister for Veterans' Affairs) (14:29): Can I thank the member for Ashford for the question. If I am not wrong, the member for Ashford has served as minister for ageing in the past, and she has had a very long interest in such issues.

When the Premier asked me to be the Minister for Health and Ageing I eagerly accepted. I have a long interest in the science of health and, of course, the ethical issues that are involved in the care of people, and when you have as many kids as I do, you do tend to spend your fair share of time sitting in emergency waiting rooms with them. I often reflect on how lucky we are to have such a high standard of care.

South Australia has the best health system in the country with the highest number of available beds, the most nurses per head of population and the lowest national rate for the number of patients who had to wait more than a year for elective surgery. But, of course, as our population ages, demand for health services will continue to grow. Funds available to state governments simply are not keeping pace with this increasing demand.

My first priority is to provide South Australians with the standard of health care that they have come to expect, while also working with hospitals and health care providers to find efficiencies to meet the needs of an ageing population, and this is my greatest challenge. While over the last decade revenue has grown at about 2 per cent a year, the health budget has grown by about 8 per cent per year. Where health represented about 25 per cent of our state budget when this government first came to office, it now takes up about 30 per cent.

This sort of growth cannot be sustained forever. I am not going to rush into simple or quick fix solutions. Earlier I announced the first modest changes to the department to help achieve these goals. It is crucial that no major services to the public are compromised, and all decisions that we make will be made through thorough discussion with health employees and with the public.

I have already visited all of our major metropolitan hospitals and I have begun visiting hospitals and health services in country South Australia. I am keen to meet as many health employees as possible to see firsthand the great work that they do.

Can I also acknowledge the great work of the former minister, the member for Kaurana, and I hope that I might be able to match his detailed and intimate knowledge of health and, of course, his passion for delivering services. I look forward to serving the people of South Australia as the Minister for Health and Ageing and the Minister for Mental Health and Substance Abuse.

CAR PARKING LEVY

Mr MARSHALL (Norwood—Leader of the Opposition) (14:32): My question is to the premier. Can the premier explain what impact Labor's new CBD car park tax will have on business, and will it increase their payroll tax liabilities and WorkCover levies?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:32): I thank the honourable member for his question. The car parking levy is not an unusual proposition in national terms. There are many CBDs that have car parking levies; indeed, I think we are probably the last CBD that hasn't, apart from Hobart, perhaps. So it is a common feature of the taxation arrangements in relation to CBDs; it hasn't caused the concerns that the honourable member complains about in those jurisdictions.

All of the revenue raised is directed at transport infrastructure. Unlike the remarks that the Leader of the Opposition made on radio when he was criticising this levy just before Christmas, the particular park-and-ride facilities that it is going to fund are not in the forward estimates but have been put in there as a consequence of this measure, so it is new infrastructure that is going in, as identified in the mid-year budget review in a range of ways.

Mrs Redmond interjecting:

The SPEAKER: The member for Heysen is warned for the first time.

The Hon. J.W. WEATHERILL: What, of course, that will do is allow consumers, customers—commuters—to take their cars into the park-and-ride, park there and use the public transport facilities into the city which, of course, is exactly what we want. It will lead to a less congested city. It will, of course, reduce car journeys, which is good for the environment and, indeed, the air quality generally of our city.

The SPEAKER: Point of order from the member for Heysen.

Mrs REDMOND: It is on relevance, Mr Speaker, because the question was specifically about the impact of this car parking levy on businesses. So far the Premier has gone nowhere near that particular topic. He is justifying the car parking levy.

The SPEAKER: No; that will be quite enough. The Premier might segue back towards the impact on business.

The Hon. J.W. WEATHERILL: The impact on business, in our submission, will be positive. What we are doing is creating a more attractive city, which in turn will renew to the benefit of the businesses in the city. Remember, this is the same government that has opened up shop trading hours in relation to the city and opened up the planning regimes in relation to the city. There are many benefits that have been conferred on city businesses as a consequence of the actions of this government. We have, I think, the highest number of car parks of any capital city in the nation per capita. I think it's a—

Ms Sanderson interjecting:

The SPEAKER: Premier, would you be seated for a minute. I call the member for Adelaide to order. Premier.

The Hon. J.W. WEATHERILL: We have a very high number of car parks in our city as a consequence of, obviously, the fairly permissive regimes we have in relation to taxation. This is a good public policy measure to encourage public transport, to improve the amenity in our city. I understand, though, that when pressed on this and asked whether they would remove such a levy they said—shrieks of silence.

GAWLER AND DISTRICT COLLEGE

Mrs VLAHOS (Taylor) (14:36): My question is to the Minister for Education and Child Development. Can the minister inform the house about the new Gawler and District College which opened its doors for the first time last week?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:36): I thank the member for Taylor for her question. I know she has a number of students in the northern part of her electorate who are just as excited as she is about the opening of the new Gawler and District College.

This is a new \$11.9 million school, and it has come about because of the hard work of parents, key community members and staff from the Department for Education and Child Development. This new school was built on the grounds of the former Gawler High School and brings together the school communities of nearby Evanston Primary School, the Evanston Preschool and Gawler High School into a one-stop birth to year 12 facility.

Uniting these communities and realising the vision of what can be achieved through this sort of amalgamation is not an easy process. It is a mammoth leap of faith by parents, but they worked with and put their trust in a team from Department for Education and Child Development. The results speak for themselves. Whilst some—

Mr Pisoni interjecting:

The SPEAKER: Minister, will you be seated. The member for Unley, I call you to order. Minister.

The Hon. J.M. RANKINE: Whilst some might label people who undertake this important work as 'unwanted bureaucrats', this government knows this has not been an easy task. I want to thank everyone involved, including the new principal, Gerri Walker, and preschool director, Christine Townsend. I also want to acknowledge the enormous amount of effort the member for Light and our new Minister for Communities and Social Inclusion, who has done what a good parliamentary representative should do, and that is stand side by side with his local communities helping them and supporting them through this voluntary amalgamation process.

We now have a new school which I am pleased to advise currently has 1,000 enrolments for 2013 and can cater for up to 1,200 students. There is a new children's centre, new reception to year 12 facilities, upgraded secondary school learning spaces, and it is worth noting that this is the 27th new children's centre. The college allows families to access a range of early childhood and education services in one place, including preschool, occasional care, health facilities, primary and secondary schooling.

I had the delight of visiting this great new facility at Gawler on day 2 of this school year. I was not surprised, sir, that a rather excited local member had got there before me: he was there on day 1. With constructions starting in November 2011, the local community has been well served by the team from the department who oversaw a very speedy construction period.

The Gawler and District College is just one of the many brilliant schools we have in our public education sector. It is disappointing when you hear people talk down what is an excellent system. I can say that claims that we have fewer students in our public schools are not correct. Statistics show that we have more students who want to come to our government schools. According to the ABS—

The Hon. I.F. EVANS: Point of order, Mr Speaker. The minister has ventured into comment about the number of students in public schools. The question was about a particular new school that had opened in Gawler, nothing about the numbers of students in schools.

The SPEAKER: Member for Davenport, I thought you were about to criticise my Crvena Zvezda stopwatch. I am glad you are not.

Mr Pederick: Is it working?

The SPEAKER: Yes, it is. The minister will wind up.

The Hon. J.M. RANKINE: Thank you, sir. We have almost 600 more full-time students in public schools in 2012 than in 2011.

Ms CHAPMAN: Point of order, Mr Speaker. She has just dealt with that matter. You asked her to wind up. She is again repeating the same offence, just going straight on to offend—

The SPEAKER: That assumes, member for Bragg, that I upheld the point of order. My adjudication was to ask the minister to wind up.

The Hon. J.M. RANKINE: Thank you, sir. As I said, this stands in stark contrast to what occurred in 2001 to 2002 when almost 3,000 students left our public schools.

Ms CHAPMAN: Point of order, Mr Speaker.

The SPEAKER: No. Minister, there are children starting high school today who have no consciousness of there ever being a state Liberal government and so what they did is of little relevance. The Leader of the Opposition.

GAWLER AND DISTRICT COLLEGE

Mr PISONI (Unley) (14:42): A supplementary, if I may, Mr Speaker.

The SPEAKER: I'm sorry? A supplementary question? Yes, so it will have to be about this particular institution.

Mr PISONI: Certainly. In the minister's answer to her question she mentioned that it was the 27th childcare centre that was built by this government. Does that include the two childcare centres—at Dame Roma Mitchell College and Mark Oliphant College—that are not staffed?

The SPEAKER: That is not a supplementary question, but you may ask it as a separate question if your leader is happy for it to be a separate question.

Mr Marshall: Absolutely.

The SPEAKER: Very well. Minister for Education.

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:42): I am happy to get a full list of operational children's centres for the member for Unley.

SA WATER

Mr MARSHALL (Norwood—Leader of the Opposition) (14:42): My question is to the Treasurer. Does the Treasurer stand by his comments yesterday that he has no plans to write down SA Water's asset valuation, given that ESCOSA's water price recommendation today is predicated on a value writedown of those assets?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:43): I thank the member for his question. We now have advice from ESCOSA which suggests that there are opportunities to reduce water prices that we will act upon. There are two elements to the draft ruling which are germane to this question of asset price regulation. The first is the regulated asset price which is not the actual value of SA Water's assets but it is the regulated price for the purposes of determining prices of water for charging of customers.

That is the matter that has been split into two components. One component concerns SA Water's water assets where there is a suggestion that they might be devalued and another section of the draft ruling talks about the sewerage assets which suggests they might be increased in value. We will take into account all that advice. It is a draft ruling. A final ruling will be made, I think, in May some time; cabinet will deliberate on it.

But all of our considerations will be governed by one principle—that is, to give the lowest possible water prices to South Australian consumers so that we can reduce the burden of cost of living on ordinary families. That is our purpose. We introduced the economic regulator into this process to look very carefully at SA Water's pricing structure. They have now given us something that gives us an opportunity to deliver on the promise we made which was to keep water price increases into the future at CPI. It looks like we are going to be able to do better than that, and we will be acting on that determination.

MURRAY RIVER

Mrs GERAGHTY (Torrens) (14:44): My question is to the Premier. Can the Premier inform the house about the latest win for South Australia in returning water to deliver a healthy River Murray?

The SPEAKER: I detect some comment in that question. The Premier.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:44): Today marks the achievement of another crucial milestone in our fight to secure a healthy River Murray. Earlier today, the federal parliament passed an important piece of legislation securing \$1.77 billion in funding to ensure the River Murray receives enough water to remain healthy.

This is an extraordinary achievement for South Australia. This piece of legislation would not have existed but for South Australia's fight. We led the fight to ensure the Murray-Darling Basin plan provided 3,200 gegalitres of water that scientists verified was needed for the river's long-term health. Of this funding, \$1.57 billion will secure an extra 450 gegalitres above the 2,750 outlined in the draft plan.

The additional water is critical to ensure that two million tonnes of salt are exported out of the Murray Mouth each year to keep salinity in the Lower Lakes and the Coorong below the dangerous thresholds for the survival of native plants and animals. It will also keep water levels in the Lower Lakes at a level to avoid acidification and riverbank collapse below Lock 1, and improve the ability of flood plains to support healthy red gum forests and water bird and fish breeding. The additional 450 gegalitres will be recovered through water recovery projects and works throughout the Murray-Darling Basin. Importantly, it will be done—

Members interjecting:

The Hon. J.W. WEATHERILL: No, that was removed.

An honourable member: Up to.

The Hon. J.W. WEATHERILL: No, that's wrong. You are working on old time. Importantly, it was done in a way that minimises the impact on communities through projects such as improving the efficiency of on-farm use. There has been \$200 million set aside to address key constraints that currently limit the amount of water that can flow down the river. Remember their first argument? 'We can't give you any extra water because there are natural constraints that won't let us bring it down.' We have shown that that's wrong.

Mr VAN HOLST PELLEKAAN: Point of order: I believe the Premier is entering into debate when he says, 'Remember their first argument?'

The SPEAKER: I am not sure what he means by the pronoun 'they'. We will find out as the answer continues.

The Hon. J.W. WEATHERILL: 'They' referred to the Murray-Darling Basin Authority and the upstream interests. It might be consciousness of guilt, but it certainly wasn't directed at those opposite. So, \$200 million has been set aside to address key constraints which currently limit the amount of water that can flow down the river. The South Australian government called for the Australian government to listen to the scientists, to listen to what they were saying about what we needed for a healthy river, and they have responded. We have worked hard to ensure that South Australia's voice was heard in Canberra. I want to pay particular tribute to the role that the former minister, the member for Colton, played in uniting—

Mr Pederick interjecting:

The SPEAKER: Premier, will you be seated for a minute? I call the member for Hammond to order.

The Hon. J.W. WEATHERILL: What he managed to do was unite the river communities, irrigators and environmentalists, city and country, farmers, irrigators, environmentalists and water users of the river, up and down the length of the river. It was a difficult task. It's fair to say that some of the places we went to are not known for their particular affinity to our political party. In fact, I can recount many anecdotes of people slapping me on the back and saying what a fantastic job we had done and also quickly adding that they would never vote for me.

But can I say that this was an extraordinary act of unity by the South Australian community. We know what effect it had on the federal opposition. We had that extraordinary proposition where the federal MPs all managed to place pressure then on Tony Abbott to get him to not oppose this legislation in the federal parliament. I can say that, unless we had united as a state, that pressure would not have been applied.

They were so proud of themselves they put a half-page ad in the paper afterwards claiming the credit for it, but I am happy for everybody to join in and take credit. Of course, victory has many authors; failure is an orphan, but we have been victorious on this occasion.

The SPEAKER: On that note, the Premier's time has expired. The Deputy Leader of the Opposition.

MEMORIAL SERVICE, MINISTERIAL ATTENDANCE

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:49): My question is to the Minister for Multicultural Affairs. Why did the minister show support for a banned terrorist organisation—the group, PKK—by attending a memorial service for its members?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:49): Can I start by saying any assertion that I have ever supported terrorism or showed sympathies towards organisations that inflict terror or harm on people is offensive and absurd. I attended a memorial service that was organised by the Adelaide Kurdish Youth Society.

I was phoned while I was on leave, on holiday in Vietnam, asking whether I would go to this function, which occurred on the same day that I arrived back in Australia. That is the day I received a speech and a brief. When I read the brief, I had some concerns about what was contained in the speech, and my speech was edited.

I went along to honour a commitment that I had given to a Kurdish community group here in South Australia to express condolences on the murder of three women in Paris, and I was not alone in expressing those condolences, sir. I can tell you that the Turkish government spokesperson, who I understand is also the Deputy Prime Minister, actually said that he condemned the 'savagely killing' of the women, and said it was 'utterly wrong'.

On the Telegraph UK website, he was quoted as saying, 'This is utterly wrong, and I express my condolences.' The Prime Minister of Turkey said it could be a 'provocation', coming at a time when peace talks between the state and the PKK's jailed leader, Abdullah Ocalan, were underway.

The French Interior Minister, who visited the pro-Kurdish centre in Paris where the bodies were found—three women who were murdered—said the deaths were, without doubt, an execution, and he called it a 'totally intolerable act'. Sir, I have had no advice, nor would I expect to receive any advice, that there is anything untoward in relation to the Adelaide Kurdish Youth Society.

ENERGY PRICES

The Hon. R.B. SUCH (Fisher) (14:52): Can the Minister for Energy inform the house about actions the state government has taken to help relieve cost-of-living pressures?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (14:52): I would like to thank the member for Fisher for his interest. Last Friday was an important day in the state's history, as the state government deregulated the state's energy market and delivered a 9.1 per cent power bill reduction for households on the standing contract. In addition to this, small businesses received a 4.5 per cent reduction.

This initial two-year arrangement with AGL and Origin Energy will ensure major electricity and gas retailers are subject to greater competition. Deregulation will allow more than 30 nationally authorised electricity retailers and 15 gas retailers to compete with AGL and Origin for local customers through competitive offers.

Over the past month, Mr Speaker, you may well have noticed the pages of *The Advertiser* filled with not only Liberal leadership stories and pleas for Alexander Downer to return to the leadership of the Liberal Party, but also ads from energy companies offering discounts of up to 16 per cent off their standing rates, with the introduction of a range of new tariff freezing offers. This is a result of the direct competition the government has opened up in the electricity market.

This is competition the state government wants to foster, with more retailers entering the market, and therefore putting downward pressure on energy prices. It helps alleviate the raw deal South Australians got when members opposite privatised our electricity assets. When the previous government privatised our assets, they promised cheaper power; it did not occur.

This government, on the other hand, has been able to deliver a 9.1 per cent reduction for households on the standing contract, and there are even better offers out there in the market. I urge South Australians to make the most of this new era of deregulation by tracking down the best energy deals and avoiding paying more than you need to for electricity and gas. To assist customers, they can instantly compare offers from energy retailers using the Australian Energy Regulator's free Energy Made Easy website at www.energymadeeasy.gov.au or by calling 1300 585 165.

Friday also marked the day that South Australia joined the National Energy Customer Framework which ensures that all energy customers, including those experiencing financial hardship, can access essential energy services on reasonable terms. Customers in financial hardship must be offered flexible payment options and given support to access concessions, financial counselling and help to improve energy efficiency.

This includes flexible payment plans and information on how to avoid disconnection so that the most vulnerable in our community are protected and their access to electricity and gas is ensured. Energy retailers are now obliged to provide detailed fact sheets including information about prices, fees, discounts and any other incentives or penalties, making it simpler for consumers to choose the best offer for them. An important aspect of NECF is that it has now enforced that every energy retailer will also have to offer at least one energy contract with no exit fees.

The state government is very proud of these reforms, as they deliver not only real discounts to energy users but also greater certainty for customers and better protection for those experiencing financial hardship. This government is doing all it can to reduce the burden of cost-of-living pressures on ordinary South Australians.

The SPEAKER: Supplementary question, member for Fisher.

ENERGY PRICES

The Hon. R.B. SUCH (Fisher) (14:56): Given the answer from the minister, what action is the government taking to revise the summer electricity tariff?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (14:56): As members opposite might be aware, or not aware, AGL charges a summer tariff for the period 1 January to 31 March each year, and they charge higher usage rates for this period when, obviously, there is greater demand on the system. That was something that ESCOSA approved when AGL applied. Under a deregulated market, member for Fisher, South Australians are free to choose market contracts that do not have a summer tariff.

My office has done an analysis of the Australian Energy Regulator's Energy Made Easy price comparator and I am advised that it reveals that retailers, including Simply Energy, Momentum Energy, Red Energy, Lumo Energy and Powerdirect, offer contracts to South Australian customers and do not charge a summer tariff. The idea of deregulation, in my mind and in the government's mind, is to break the power away from the large retailers and encourage South Australians to move to smaller retailers that offer larger discounts. The problem with privatisation was that we all went to a large—

The SPEAKER: I think the member for Fisher's question has been answered. Deputy Leader of the Opposition.

MEMORIAL SERVICE, MINISTERIAL ATTENDANCE

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:57): My question is again to the Minister for Multicultural Affairs. When the minister became aware that the event to which she had accepted an invitation was, in fact, a memorial to members of a banned terrorist group, which the minister has indicated today caused her some concern, why then did she not withdraw from the event?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:58): It surprises me—

The Hon. A. Koutsantonis: It doesn't surprise you, it disappoints.

The Hon. J.M. RANKINE: It doesn't surprise me, it disappoints me that questions about three women being slaughtered in Paris going about their lawful business are something that the

member for Bragg, who purports to be a supporter of women, would raise in this place but, nevertheless, I gave a commitment to a small community organisation that I would attend—

Mr Pisoni interjecting:

The SPEAKER: Minister, would you be seated. I warn the member for Unley for the first time.

The Hon. J.M. RANKINE: —a small Kurdish community organisation. I think it was their second only function since they had established themselves, and it was being held in a community house in my electorate on the day that I returned from leave. I had said I would go to their function, and I honoured that commitment, but when I spoke at that event, I spoke about how unacceptable it is to try and resolve differences through violence.

MEMORIAL SERVICE, MINISTERIAL ATTENDANCE

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:59): I have a supplementary question.

The SPEAKER: If indeed it is a supplementary.

Ms CHAPMAN: I will let you be the judge of that, of course, Mr Speaker. Is the minister actually saying to us that it was more important to attend an electorate diary event than to maintain a consistent position in respect of terrorism?

The SPEAKER: That is a supplementary. Minister for Multicultural Affairs.

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:59): I went to a community event organised by local Kurdish people to express condolences about the slaughter of three women, and the views that I expressed were no different to those expressed essentially by the Turkish government itself.

Mr Pisoni: What about the Australian government?

The SPEAKER: Member for Unley, I warn you for the second and the final time. The member for Frome.

NYRSTAR

Mr BROCK (Frome) (15:00): My question is to the Minister for Manufacturing, Innovation and Trade. Can the minister please advise what progress the South Australian government task force has made since the 3 December 2012 announcement regarding the proposed transformation of Nyrstar's Port Pirie smelter? Also, could the minister please advise the benefits to Port Pirie and the region?

The Hon. T.R. KENYON (Newland—Minister for Manufacturing, Innovation and Trade, Minister for Small Business) (15:00): I will start by commending the member for Frome for his advocacy on behalf of his local community because, even though I have only just come into this portfolio, I know that the member for Frome has spent countless hours talking to and lobbying the Premier, and also the former minister, making sure that the interests of Frome and the people of Port Pirie in particular were looked after. It is a critical thing; this is a critical part of Port Pirie. Port Pirie would, quite frankly, die without the continued existence of the smelter at Nyrstar. The member for Frome understands that and he has never once failed to advocate on their behalf.

Since December when they met last year, the work of the task force has continued, and I am pleased to advise that this work is progressing on many fronts to ensure that the final investment case can be completed by the end of 2013, with a view to a new, cleaner processing plant being commissioned in early 2016.

The most recent task force meeting was held on 31 January, involving senior officials from the state government, the Australian government and Nyrstar. The state government's case management approach is coordinating expertise and input of officials from key state government agencies such as the Department for Health and the Environment Protection Authority, using a structure of eight working parties. It is a complex arrangement. It is looking towards environmental improvement, a targeted lead abatement program, development assessment, feasibility studies, legislation and legal agreements.

I am advised that the task force is on track towards achieving a range of key activities and milestones throughout the next 12 months. The outcomes of the task force are imperative to ensuring that all key milestones are achieved in a timely manner, so that the government and

Nyrstar can make final decisions in the first quarter of 2014. The formal feasibility studies (both prefeasibility and bankable feasibility) for the transformation will provide an important foundation for the investment decisions. I understand Nyrstar is rapidly progressing both studies.

Work continues apace. The government obviously has its full support behind Nyrstar. This is an important project for Port Pirie. The absence of the smelter would see a drop in land prices and a crash in employment. It would be the decimation, or worse, of Port Pirie and it just cannot be contemplated. The excellent work of the former minister and Bruce Carter and his team to come up with quite a sophisticated deal in support of Nyrstar is to be commended as is, once again, the work of the member for Frome in support of his community.

MEMORIAL SERVICE, MINISTERIAL ATTENDANCE

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:03): My question again is to the Minister for Multicultural Affairs. Is the minister asserting that the three women, as she described, who were murdered whilst going about their lawful business were not members of the PKK?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:03): I don't know where the member for Bragg is going with this. No, I didn't say that at all. What I said was that in relation to the Adelaide Kurdish Youth Society, I have had no reason to believe, I have had no briefing nor do I expect to get a briefing, indicating that there is anything untoward with this community organisation that I visited.

When I give an undertaking to a community group that I will attend a function, I try my very best to honour that. I gave them a commitment while I was overseas that I would attend and I attended the night I returned from overseas. I know there are circumstances where people do not turn up to functions; I understand that. I have been to many hundreds of multicultural events. I went to one—

The SPEAKER: Point of order, member for Morialta.

Mr GARDNER: Ninety-eight. The minister is clearly debating the answer and has strayed a long way from the question, which was quite direct.

The SPEAKER: On the contrary. I think the minister's remarks are still germane to the question.

The Hon. J.M. RANKINE: I have attended other Kurdish events which have not been questioned in this place, and there have been Liberal members of parliament at those. I well remember going to the Semaphore Greek festival when the former leader was the shadow for multicultural affairs—and I assume she still is at this point in time. We have not heard of anyone else that is the shadow.

The SPEAKER: Point of order, deputy leader.

Ms CHAPMAN: Before we get on to the Greeks or any other multicultural events, my question was specifically whether it was the claim of this minister that the three women who were murdered in Paris, who she has described today as going about their lawful business, were members of the PKK—nothing to do with the Greeks or any other functions.

The Hon. J.M. Rankine: That's your claim.

Ms CHAPMAN: I am asking you: is that your claim?

The Hon. J.M. Rankine: It's your claim.

Ms CHAPMAN: Is it or not?

The Hon. J.M. RANKINE: No, it's your claim. They are your words, not my words.

Members interjecting:

The Hon. J.M. RANKINE: I have answered that. When I give an undertaking to go to a function, I do it. There are many functions that could have some controversy around them—

The SPEAKER: Point of order from the member for Finniss.

Mr PENGILLY: I do not actually believe you have given the minister the call.

The SPEAKER: The member for Finniss is quite correct. The Minister for Multicultural Affairs.

The Hon. J.M. RANKINE: Thank you, sir. One of the events, for example, is the Ukrainian memorial over the famine of the 1930s. I have been to that and I know you have been to that, sir. I know there was an event very recently where they were expecting a Liberal member of parliament to come along, and instead of that he tweeted that he was at the pictures.

The SPEAKER: Is the minister finished?

The Hon. J.M. RANKINE: Yes.

MEMORIAL SERVICE, MINISTERIAL ATTENDANCE

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:06): My question is to the Premier. Is it the Premier's position that it is acceptable for members of his ministry or senior government representatives to attend memorial services for members of a banned terrorist group?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (15:07): This is an extraordinary line of questioning. I make no such assertion, and neither has the minister, about the matters that have just been mentioned in the question. What is asserted here is the role of a minister for multicultural and ethnic affairs discharging faithfully her duties. I would have thought that about the last place she would want to be on the day of returning from a long overseas trip is discharging her duties to a local community in a faithful fashion, having proper regard to the sensitivities by amending her speech so as not in any way to be seen to be condoning violence or terrorism of any sort.

The truth is that the South Australian community is comprised of many communities that come from places where awful things happen, and some of the people that flee those places at different times may have been associated with one or other regimes who may have been themselves associated with cruel and awful acts. When they come to this state what they should expect is that the broader South Australian community embraces them and allows them as far as possible to turn their back on those awful things that happened, but a number of the communities still hold strong views about matters. They are entitled to express their view about those matters. We have to be careful to make sure that we do not involve ourselves in those controversies, and we take care to do that.

Going along and showing common purpose and common citizenship, which is at the heart of our multiculturalism and at the heart of the success of this state, is what has made this state the wonderful place that it is to live in, and those people come here hoping and believing that we will uphold those values. I must say, the views that are being espoused by this line of questioning are complete anathema to the sorts of things that we are trying to uphold in this state. I support the minister in her actions and I pay tribute to the way in which she has carefully gone about discharging her responsibilities.

SMALL BUSINESS COMMISSIONER

Mr ODENWALDER (Little Para) (15:09): My question is to the Minister for Small Business. Can the minister inform the house of the progress of the Office of the Small Business Commissioner?

The Hon. T.R. KENYON (Newland—Minister for Manufacturing, Innovation and Trade, Minister for Small Business) (15:09): I would like to thank the honourable member for his question, and I would also like to take this opportunity to commend the former minister for his great work in establishing the Office of the Small Business Commissioner. It's an important thing in the progress of business in this state.

As members would be aware, the South Australian parliament passed legislation in 2011 to establish the Office of the Small Business Commissioner to contribute to the creation of a level playing field for small businesses in South Australia. The Office of the Small Business Commissioner was created to be an independent statutory officeholder with responsibility for facilitating the resolution of disputes between small businesses, local and state government bodies.

The office provides services at minimal cost in business-to-business and business-to-state and local government disputes across the state. I am pleased to inform the house that the results to date have been very promising. From March 2012 to 29 January 2013, there have been a total of 4,203 inquiries. In terms of cases or disputes alone, I can inform the house that as of 31 January

this year, the Office of the Small Business Commissioner has received 339 cases, and 261 of these cases have been completed.

This is great news for small business owners and operators. It means they can get on with the job of contributing to our state's economy without getting bogged down in what can often be expensive and drawn out disputes. The commissioner and his office are also involved in a wide range of other areas to support business and have travelled widely across the state to connect with businesses and community leaders in all parts of South Australia.

Work is also underway to further provide businesses with an additional range of information, both to inform their decision-making and to help reduce disputes which are costly and time consuming and cause significant distress. The office's website is seeing increasing hits, and the mobile or tablet version of the website has also been set up to maximise access.

The commissioner is currently working on an inquiry into inset or embedded electricity networks announced by the Premier and the Minister for Energy late last year—another excellent initiative. This inquiry aims to gain a clear understanding of the ways in which embedded electricity networks aim to operate in South Australia. The inquiry will look at network arrangements and the different methods used to determine the power prices charged to business operators as well as any anti-competitive behaviour.

I am confident that 2013 will see the commission go from strength to strength, and I strongly encourage all small business owners to call or contact the Office of the Small Business Commissioner if they are having difficulties resolving a dispute. The Office of the Small Business Commissioner can be contacted on a toll-free number, 1800 072 722, or by email at sasbc@sa.gov.au (I think the member for Waite might have got mildly excited just then), or the website at sasbc.sa.gov.au.

GRIEVANCE DEBATE

MEMORIAL SERVICE, MINISTERIAL ATTENDANCE

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:12): This morning, we awoke to the disturbing revelation in *The Australian* newspaper that minister Rankine and her personal partner had represented the state government at a memorial service for members of a banned terrorist organisation. Today, we had the disturbing addendum to that in question time, with confirmation, after confirming it again on ABC radio this morning, that the minister had done so in the clear knowledge that the association of the three victims was in fact known to her prior to attending that service, so much so that she was concerned about the link and had re-edited her speech for that occasion.

It was not a situation of returning home from a holiday from overseas, following through on a promise to attend a local function, then mistakenly understanding them to have been representing a youth organisation and later finding out that, in fact, it was in respect of a memorial service for three members of a banned terrorist organisation—no, not that at all; in fact, she knew. She had edited her speech accordingly and still progressed to this occasion in the full knowledge that that occurred.

Today we hear the premier say, 'I support the minister in her actions.' Well, he is nailed to the mast because those of us on this side of the house have a very clear understanding about whether we support terrorists or not, whether we in any way engage in the support of those who may be associated with that or to support.

But to compound the felony, to compound the actions of this minister, she has the audacity to stand up today and not only tell us that the three women for whom the memorial service was related to, who were killed during a trip to Paris, were people who had been acting, she says, in a 'lawful manner.' Well, how the hell does she know? How the hell does she know what those three women were doing who were members of a banned terrorist organisation?

Members interjecting:

Ms CHAPMAN: Let us look to understand that people on this side of the house are very clear: we do not support terrorists. We will not support terrorists and those who line up against them should make the condemnation of those who support them. The victims of terrorists—

The Hon. J.J. Snelling interjecting:

The SPEAKER: I call the Minister for Health to order.

Ms CHAPMAN: —are the victims of the blind hatred, conduct and acts of those who are terrorists. What about the women and children and other members of family who are victims of the disgusting, grotesque acts of terrorists? I have heard you, Mr Speaker, in this house, recount how important it is that people and governments around the world take up against the conduct of terrorists in this country and ensure that we are at one, together, in ensuring that terrorist activity is condemned and continues to be condemned.

But let's just have a look at what PKK stand for. This is the group that the minister had described on radio again this morning where she made a statement to this organisation, 'But there are places in the world where to be an activist for your people, for your homeland, is to invite death.'

The Hon. J.M. Rankine: That's right.

Ms CHAPMAN: Activists? These are not activists. These are terrorists. These are not people who march in the street for a vote or to stop some decision of government and the planning of their homes, these are terrorists.

Members interjecting:

Ms CHAPMAN: The government had clear knowledge of this as did the minister.

The SPEAKER: I warn—

Ms CHAPMAN: The PKK, let me say—

The SPEAKER: Would the deputy leader resume her seat. I warn the Minister for Health for the first time.

The Hon. J.M. RANKINE: Point of order, sir.

The SPEAKER: If it is indeed a point of order. Minister for Education.

The Hon. J.M. RANKINE: The member for Bragg quotes one sentence from my speech. It would be nice if she followed on with the next one where I say, 'No matter the political differences, violence against opponents or proponents of different policies is not acceptable.' Thank you.

Members interjecting:

The SPEAKER: I have no idea what the minister for education just said. Please stop the clock so that the deputy leader gets more than a fair shake on this speech. I would give her an extension of time, and I ask the minister for education what it was she was saying.

The Hon. J.M. RANKINE: Thank you, sir. I was saying that the member for Bragg quotes one sentence in the speech that I gave, but, in fact, the following sentence actually said, 'No matter the political differences, violence is not acceptable.'

Members interjecting:

The SPEAKER: Order! The minister for education is out of order. I call her to order and I warn her for the first time for what was not a point of order, and I return to the deputy leader of the opposition who I hope has ample time to make all the points she wishes to make.

Ms CHAPMAN: As is well known, Mr Speaker, the PKK—which has a number of aliases including the Kurdistan Labour Party—is recorded on a list of terrorist organisations on our own national security website of the Australian government. The Attorney-General has to be satisfied on reasonable grounds that the organisation is directly or indirectly engaged in preparing, planning or assisting or fostering during a terrorist act. It is on the list, as is well known to the minister, and if she or anyone in her office had read it, which I am sure they have by now, it would confirm that this is a organisation which has been effective in multiple acts of cruelty and terrorist acts against people across the world, including by women of that organisation, and indeed is significantly financially resourced by drug-trafficking, and is rife in Europe.

For the minister to say she is satisfied, that somehow or other she has a crystal ball that they were there doing some lawful act, I think is not only grossly ignorant, but also irresponsible to make that statement and to actually continue. Instead of coming in here and saying to the people of South Australia, 'Look, I made an error of judgement. I came back, I hadn't realised that this was the memorial service for terrorists, for members of a terrorist organisation. I'm sorry about that,' but to trot out post date—

The Hon. J.M. Rankine interjecting:

The SPEAKER: Deputy leader, will you be seated. I am going to give you ample time to overcome any interruption you have suffered at the hands of the government.

The Hon. J.M. RANKINE: Sir, the clock has long registered zero.

The SPEAKER: Yes, but the sessional orders give the Speaker discretion.

Members interjecting:

The SPEAKER: As a matter of fact, I am very interested in the Deputy Leader of the Opposition's speech, as I imagine many South Australians will be, and I invite her to continue.

Ms CHAPMAN: This is a terrorist organisation, which is registered in many other countries around the world and which are listed on the public register clearly identifying this. For the minister to come in here today and try to maintain some innocence in attending some local memorial service for three poor women who were murdered in a circumstance of attending some local function is not only a gross act of ignorance and poor judgement by the minister, but she has to go out there and represent members of South Australia's government. It is disgraceful that you would still maintain that that conduct was either acceptable or appropriate. It is a true sign of the failure to recognise the importance of this that you have not come in and apologised to the people of South Australia, and I ask you to do it.

Honourable members: Hear, hear!

ABORIGINAL AFFAIRS AND RECONCILIATION

The Hon. L.R. BREUER (Giles) (15:22): That is a very hard act to follow. I think we have had our theatre sports for the day. Mr Speaker, I rise today initially with a couple of requests for this parliament for the future. Again, I want to congratulate you on your elevation to the Speaker's position. I am sure you will do a very noble job in a somewhat garrulous role. Congratulations. Again, I want to thank members for the honour of allowing me to serve as speaker for the last few years.

I did leave before I was able to implement my plans for this year. I would ask the new Speaker to consider in the first instance the continuation of the acknowledgement of country after prayers at the start of each week. I noted that you did do that this week. I introduced this at the start of my speakership, and it had not been done before, but I really feel it is important to keep it in this place as recognition of our Aboriginal communities and Aboriginal people in the state. As a parliament, I believe it is essential for us to acknowledge this, and it is also somewhat of an insult that we have not ever done this in the past, so I do hope that you will continue with this and perhaps it can be part of our standing orders.

I had also hoped and planned that one of our new meeting rooms in Old Parliament House, when renovated, would be given an Aboriginal name and have a display of Aboriginal art and material in it. The name should be a word perhaps meaning a meeting place, a speaking place, or something similar. I think this would be an important tribute to Aboriginal heritage and culture in this state. I did have some discussions with the Clerk on this issue, and it was in planning, so I hope the parliament will understand the importance of doing this in the future and look at it once our renovations are completed in Old Parliament House.

I am very pleased to be appointed again as a member of the Aboriginal Lands Parliamentary Standing Committee. I spent many years on this committee prior to becoming speaker. It is a very important committee to me and to this place, and it is an absolutely vital channel for the Aboriginal communities in the state to bring their concerns to the parliament. I believe that in the time of this Labor government we have certainly made many advances for Aboriginal welfare. I see the difference in my own electorate where we have much more housing, we have more support services, we have a lot more educational support and many more health and police services, but I am not particularly happy because I still believe we have a long way to go.

We still have to remove racism in our society in South Australia. We need to be keeping our children at school. We need to get them into tertiary education. We need to develop leadership in the Aboriginal communities. We need to find meaningful employment for them, to improve their health standards. We need to stop removing children from families. We need to have Aboriginal people in leadership roles, in senior Public Service roles, in this parliament, in councils, in business

and so many areas. We are not doing this. I wish I had an answer to how we can do this, but we cannot just give up because things are not always working.

I do not believe it is about money because millions of dollars go into our systems, both federal and state, but one asks where does it go? I do not believe we are consulting enough in a meaningful way with Aboriginal organisations and Aboriginal leaders. For example, we need a review in our Aboriginal education system. Why aren't children coming out with adequate education and literacy levels? Why aren't they going on and doing degrees? We need answers on why life spans for Aboriginal people, infant mortality, health programs for Aboriginal people are so much worse in Aboriginal communities than the rest of our communities.

Why do we have so many Aboriginal people in our gaols? Why do we have such a high crime rate amongst Aboriginal children? What is the problem? You can pump in money, you can come up with some good ideas, you can spin out statistics, you can be a bleeding heart, but it is not working and I think it is time for us to have a really good look at what is being done wrong. Let's sort it out. There must be ways and there must be answers. It is not palya for it to be like this, it is not okay. There is too much wangka, too much talk, and not enough constructive action that I believe should be going on.

I am no bleeding heart; I am certainly not recognised to be a bleeding heart. I am actually a realist about this but I want my Aboriginal brothers and sisters to stand tall in this state, to have an equal opportunity to succeed, to be able to get jobs, to be able to get an education, to have adequate lives, to have adequate health opportunities, to be able to do what they aspire to—but I believe we all have to take a part in doing this.

FIREARM OFFENCES

Mr VAN HOLST PELLEKAAN (Stuart) (15:27): I rise today to inform the house that very sadly overnight we have had the 15th shooting in our state since New Year's Eve compared to three for the same period last year. So far this year we have had five times as many shootings in our state and that is South Australians being illegally, criminally shot at by other people in this state. Why can't the government take action? Why can't the government step up, give the police the resources that they need and do something about this?

What the government says instead is: 'It is all okay. We've got crime stats that tell us that things are getting safer in South Australia. We've got crime stats that tell us that it is all okay, you should be safe on the streets.' The reality is that is just not the case. People are not safer on the street, people are not feeling comfortable, and you only have to look at the police Facebook site to look at exactly how people are feeling. They are very concerned about this situation.

This situation is linked in to illegal firearms. As would be patently obvious, people who go around shooting each other are not using lawfully owned firearms. They are using illegal firearms. Again, what is the minister doing? The minister tells us that these firearms are coming in from interstate and there is not much we can do about it because it is a problem from interstate. Guess what? That is absolutely not the case. SAPOL and the Australian Crime Commission records tell us that every year in Australia on average there are 1,545 firearms stolen. In South Australia there are 200 firearms stolen every year—13 per cent, so nearly double our state's population share of firearms that have been stolen within South Australia than there should be.

Very alarmingly, on top of the 200 per year recorded being stolen in our state, another 900 firearms go into the category of 'gone missing'. This is not a problem that the minister or the government can just fob off and say that it is coming from interstate and there is not much we can do about it. It is a problem we have here and it is a problem that must be addressed.

Another thing the minister trots out is that these are people shooting each other, they are people who are known to each other and, yes, while it is all a bit sad, other people should feel very comfortable and very safe because it is an internal issue. Guess what? No. 1, that is a ridiculous and completely unacceptable excuse. We have people being shot at in the streets and other South Australians put in danger.

Let me give you an example from overnight in Salisbury, when somebody was sitting in a car, in a car park, and another person came up to the car window and said, 'Could I have a cigarette?' They leant over, grabbed a handbag out of that car, ran off, jumped in a car and drove away. The person or people in the car from which the handbag was stolen followed them in the car, only to find out that the person who stole the handbag, or another person in their car, fired back at them.

This is not people known to each other. This is not some class of people of which the minister would say, 'Just ignore them. Let them do their thing.' This is violence on our street with people getting shot at. That is the reality of it and that is exactly what is going on.

I call on the government to immediately give the police more resources. Fifteen shootings since the start of the year is not good enough—that is five times the number in the same period last year. It is not good enough to say that we have police, we have programs, we have resources and we have assets that we have given to them last time, last year, in previous times.

If this was a bushfire, if this was a flood, if this was an earthquake, there would be action immediately. The government would not just say, 'We've got programs in place to deal with this sort of thing.' They would respond immediately. There have been five times as many shootings as last year and the government has done absolutely nothing to give additional resources to the police since New Year's Eve, when this extraordinary crime wave started.

This is an issue the government must address. Illegal firearms are at the heart of this. We have 200 firearms every year in this state being stolen; on top of that, 900 firearms every year in this state go missing. So, we have 1,100 legally owned firearms becoming illegally owned firearms—that is the heart of the problem and that is what the government must address.

They have to give the police the resources they need to get on top of this problem. They cannot keep making excuses. They cannot say that we have a website that tells people that certain categories of crimes have reduced so you all need to feel safe in your houses, you all need to feel safe on the street, because it is just not the case with this level of shootings.

Time expired.

NICHOLLS, MR J.

Mr BROCK (Frome) (15:32): Today, I would like to talk about John Nicholls from Lochiel, who was an Australia Day award winner for 2013. John is often referred to as 'the mayor of Lochiel' and is well known throughout the district and well beyond as a community-spirited person with a fun and outgoing nature. His profession is farming; however, you could be mistaken for thinking that farming is just his hobby and that volunteering is his full-time job.

One of John's most notable achievements was the coordination of the Lochiel Hall centenary. The centenary celebrations were John's brainchild, and he coordinated the subcommittee involved in organising the successful works and celebrations that went on to win the South Australian Community Event of the Year at the 2012 Australia Day awards.

Further to the centenary celebrations, John initiated and was heavily involved in the construction of a new verandah area which was recently added to the northern side of the hall alongside the main highway, and he organised a local art show which showcased local artists' work to those travelling along the busy highway and to the extended community of Lochiel and the region. John is a true believer in maintaining facilities to ensure a sense of belonging for the people of Lochiel by maintaining the historic nature of the hall as, most of all, a community meeting place that can be utilised for people to come together, share and celebrate increasing social inclusion.

In a time when regional communities are declining in facilities and numbers, John is ensuring that the Lochiel community remains alive through its sport and recreational facilities. He is the main advocate for the sporting facilities in Lochiel and regularly can be seen at the oval and courts working on various projects. He is always available for mowing and general maintenance of the Lochiel sporting facilities. On Saturdays, he is often seen in the canteen helping out, goal umpiring and sitting at the gate or taking team and action photos on behalf of the club for official records.

He always arrives early to home netball and football games to begin setting up and is mostly always the last to leave after he and his wife, Kathy, clean the clubrooms and go through every bin around the oval to collect the cans for additional money to go towards the club. At the end of the season, John, with the assistance of his daughter and other helpers, collates all his photographs and information into a booklet that is circulated to all sponsors and offered for a cover fee to all club members.

John and his wife Kathy are very proactive in sourcing grant funding for the community, and with recent NRM grant money received, John and Kathy initiated the Lakeside Project—a process of removing feral undergrowth on the eastern side of the highway that runs through

Lochiel. Following the removal of the feral growth, John organised a couple of other people to assist in a general cleanup, which consisted of collecting and burning rubbish and fallen tree limbs.

John was the sole person burning rubbish at about 7pm, which outlined his commitment to the project. This cleanup showcases the lake to passers-by, and allows people to fully appreciate the natural beauty of Lake Bumbunga. John also has a keen interest in growing native plants, and has planted and revegetated thousands of trees in the community and on his farm.

John is also an active volunteer member of the Snowtown SA Ambulance Service, which he has been a part of for the 13 years. John is often on call, but will also respond to emergencies when he is on leave. He has also been a member of the Lochiel CFS for 25 years, and is part of a response to local fires and emergencies.

John is a much loved character in the community, and is well known for his long hair. It was this very feature that John was so willing to lose to raise money for cancer. John raised nearly \$7,000 for the Cancer Council and, as a result, he shaved and waxed his entire body in front of the public. This sums up the generosity of this man; he is willing to risk it all and lose it all in order to help others.

John is a very selfless person, and is always contributing to the capacity of the community through his time and efforts. John is also very trusted and respected by the children and youth of Lochiel, and they always look to him for advice. In another example of his generosity, John was volunteering at a school sports event as an adjudicator during the girls' relay. When the baton was only a few metres away, John realised that there was no runner to receive the baton from the girl who had it. Instead of allowing the girl to be embarrassed and ruin the race for all involved, John stepped in and ran the leg of the relay in place of whoever did not turn up.

Despite Lochiel only being a small community, it has a big heart and a big presence, and much of that can be attributed to John Nicholls and his family. John is a worthy Australia Day Award winner.

ADELAIDE ELECTORATE

Ms SANDERSON (Adelaide) (15:36): I would like to speak on the topic of educational issues and the lack of capacity throughout the Adelaide electorate. I will start by congratulating the year 12s from Adelaide High School on their outstanding results. Eight students received a perfect score, with one receiving merits in two subjects.

Twenty-two students received four As, 22 received three As, 29 received two As and 69 received one A. Furthermore, 27.5 per cent of the cohort (43 students) received an ATAR of 90 or above. As of 19 January, 89 per cent of the students received a first-round offer from a tertiary institution, and 63 per cent of those received their first choice offer. So, congratulations to all of the year 12s at Adelaide High School.

To give you a bit of a rundown, between 2002 and 2006, during Labor's first term in government, various attempts to engage DECS state office were made by Adelaide High School, in collaboration with the Sturt Street and Gilles Street primary schools, for options to relieve enrolment pressures. During Labor's second term of government in 2006, a feasibility study of acquiring space in a UniSA building at 160 Currie Street was undertaken and documented, but not proceeded with. Throughout 2007 continuing discussions were held with DECS regarding enrolment pressures, and, in particular, zone enrolments.

Following this, in 2007, the Adelaide High School Governing Council called a parent meeting to generate support for action. In 2008, after extensive and comprehensive community consultation, a submission was given to the then minister for education, Jane Lomax-Smith. This was completely ignored until four days before the 2010 election on 20 March, when the Labor government released a statement regarding the expansion of four state high schools. It stated:

Adelaide High School...will be expanded to cater for up to 250 more students from 2013...

I note that the school year for 2013 has already begun, and there is no sign of any building. I believe some fire hydrant work has commenced, but the earliest they are looking at having that completed is the end of 2015, ready for the 2016 term; that is very behind deadline. The other promise was that this would be built without encroaching on the Parklands, which is also completely untrue, and that has been extended completely onto the Parklands. Another quote from that statement was:

By expanding the schools, we can relax the zones—so that students from Prospect or Walkerville, for instance, will be able to attend Adelaide High School.

Again, we are three years on and three education ministers on, and still there has been no notification of that expansion of zones. This is a particularly important issue for all of the residents living in Prospect and Walkerville in particular. There are not only issues with being able to go to the closest local high school; Adelaide High School by gazette, does not even have to accept students who live in its zone. In fact, in 2009, it was gazetted that:

...enrolment of students at Adelaide High School must be consistent with the following criteria, requirements and conditions:

The applying student:

1. Must be enrolled in a South Australian Primary School at Year 7 level at the time that the student applies to enrol at the Adelaide High School (through the Year 7-8 transition process administered by the Department of Education and Children's Services) and must, in addition to this criterion, meet one of the following criteria:

(i) the student's family's primary place of residence is located in the area bounded by—

and then it has streets and suburbs. It then states:

The student's family's primary place of residence must be within this zone at the time of the Department of Education and Children's Services Year 7-8 transition process, which concludes in week 4 term 3.

So you have to live there in week four of term three of year seven, and be enrolled in a state primary school already or, if you move in at any other time you cannot go to your local high school. Point (v) of this gazetted note says:

Nothing in this policy requires Adelaide High School to grant enrolment to a student if the school has reached its capacity.

So, even if you live in the zone in year seven of the correct time period, you are not guaranteed a space in the school. So, clearly, there is a lot of pressure on Adelaide High School to provide adequate schooling.

Time expired.

DESALINATION PLANT

Ms THOMPSON (Reynell) (15:41): During the parliamentary break I had the privilege of touring the Adelaide Desalination Project. We have all heard about it, there has been lots of controversy, and there have been some unfortunate events surrounding it; particularly I recognise the death of a worker in that project which, of course, is a most horrible event and has, unfortunately, also served to obscure some of the achievements of the desal plant because they have been so aware themselves that a worker died in the process.

However, it is time to pay respect to that worker and his family but also to praise the work of the thousands of people who were involved in the desalination project, and generally with an excellent safety record, marred, as I said, and it is hard to go past that. We do forget, also, that at the time the decision was made to build a desalination plant, the east coast of Australia was in a desperate situation. Prime minister Howard stated that he did not want to talk in 'apocalyptic terms' about whether towns would run out of water completely:

'The longer it goes on, the harder the impact. These are just stark facts,' he said. The dry spell is expected to wipe up to \$10 billion from the Australian economy in 2006-07. Australians could face big food price rises.

In the face of these possible catastrophic events; in the knowledge that Adelaide was running out of water; that the pipes had already been lowered to enable us to get water from the River Murray as its level fell; and that the salination of the River Murray was getting dangerously close to the fact that, even if we did have water coming from there, we would have to erect a mini-desal plant at each reservoir to enable us to drink. We use the term 'drinking water', but we need at all times to remember that drinking water is also used for industry. Without our drinking water supply, our manufacturing industries and many of our service industries would be heavily hit and possibly have to shut down.

It is good to revisit some of the achievements. The plant is up and running, and many people do not know that for some months now they have been drinking a shandy of desalinated water, both in the south and in the north, with the fairly extensive works to connect the Happy Valley and the Hope Valley reservoirs.

There have been many visitors to the desalination plant because, within the industry, it already has a record for achievement. The energy efficiency of 3.7 kilowatts per kilolitre is a benchmark performance. An ambitious target for energy efficiency was set, and so far that has been exceeded. While the target was 4.5, 3.7 has been consistently achieved, and the plant operators are hopeful that that will be maintained.

The efficiencies come about from a number of innovative measures: a patented 'blind split' reverse osmosis membrane, recovery of reverse osmosis water to optimise the sea water that comes up to decrease pumping requirements, elimination of intermediate process tanks via direct coupling of ultrafiltration and reverse osmosis systems, and 99.9 per cent of the pre-treated backwash water is recovered.

There is an additional outfall energy recovery of 1.3 megawatts and, indeed, 40 per cent of the energy needs of the plant are generated on site through energy recovery measures, including a turbine at the bottom of the outfall shaft. As the water returns to the sea, it drops down a shaft and turns a turbine which generates a large amount of electricity, and this innovation is repeated at many points throughout the plant. It has been environmentally sensitive, with extensive community consultation and environmental consultation, and there have been many people trained in new skills through the plant.

SELECT COMMITTEE ON THE PORT AUGUSTA POWER STATIONS

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (15:47): I move:

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

Motion carried.

GRAFFITI CONTROL (MISCELLANEOUS) AMENDMENT BILL

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

Consideration in committee of the recommendations of the conference.

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

That the recommendations of the conference be agreed to.

In so doing, I thank everyone who participated in the conference and particularly I thank the deputy, whose intervention proved to be absolutely critical in avoiding this matter reaching its first birthday, and I thank her for her efforts.

Ms CHAPMAN: I also wish to thank members of the committee. Sometimes the smallest things take up the longest time on the agenda, and this has taken quite some time to finally resolve, but I think in a sensible manner, and I am pleased that we have had an opportunity to be able to resolve it. It does highlight just one thing, and I mention this because the committee process is one which has the capacity to continue to operate in and outside of the time that parliaments sit.

I think one of the things that is most telling in the delay in actually being able to conclude this matter is that important members are on it, obviously including people who are ministers and of course are very busy, and so months can go by between meeting opportunities. So, it is a little bit difficult, I know. One of the things that happens in other parliaments is that committee work, even such as we are about to go into with the bill we are about to resume, actually goes on while the parliament continues.

So, perhaps there is an opportunity for that to occur, which I think still applies in the federal parliament, because we have just got to be able to try and utilise the time, especially when ministers are very busy people. I accept that, but while they are here in parliament, at least they are here and able to attend to the business of the parliament. It gives us a chance to be able to progress these more rapidly. But I thank members of the committee for their sensible approach ultimately in resolving this matter.

Motion carried.

STATUTES AMENDMENT (APPEALS) BILL

Adjourned debate on second reading.

(Continued from 5 February 2013.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:51): In resuming the debates on the Statutes Amendment (Appeals) Bill 2012, there are several principal aspects of the reform that are the subject of this bill. The first is the appeal against conviction. Currently, under our criminal law, the principle of finality means that defendants have only one right of appeal against convictions. The grounds of appeal are limited by statute and of course do not reconsider evidence already adduced at the trial.

That really means that, when people have been charged, if they are acquitted they can head off. If they are found guilty, they can have one chop at the cherry to get it right and through the appeal process, but they cannot just keep going back over and over again. The world has changed, and we accept that, and also that, particularly because of the advance of technology and evidence that assists our forensic experts, it is important that we keep our mind open as to whether this is the sensible way to continue. The Legislative Review Committee made a number of recommendations, including that our Criminal Law Consolidation Act:

...be amended to provide that a person may be allowed at any time to appeal against a conviction for serious offences if the court is satisfied that: 1. the conviction is tainted; or 2. where there is fresh and compelling evidence in relation to the offence which may cast reasonable doubt on the guilt of the convicted person.

This bill does enable that recommendation to be incorporated, except that the government has decided that it does not need to relate to a tainted conviction, and it can be available to all offences, not just serious ones. Perhaps that opens it up to a much broader area, but, in any event, that is the approach that they have taken.

The fresh and compelling components come to light after other rights of appeal have been exhausted. As in appeals by prosecution against acquittals for serious offences, the bill requires that evidence, if it is to be fresh, must be evidence that 'must not have been adduced at the trial and could not have been adduced at the trial, even with the exercise of reasonable diligence', and compelling, that being that 'evidence must be reliable, substantial and highly probative in the context of the issues in dispute at the trial of the offence'.

I do not want to blur the arguments for the importance of this type of reform by referring to a case that is controversial, and that is the conviction of Henry Keogh in respect of the murder of his fiancée some years ago. It is a well known case in South Australia. I mention it because it is probably the aspects in respect of forensic and expert evidence in that case that one does need to reconsider whether this whole approach is meritorious, and that is not in any way to reflect on whether I have any personal view as to the guilt or innocence of Mr Keogh.

As often occurs in cases, irrespective of that ultimate question, sometimes very important cases do throw light on deficiencies in our system and for that reason need to be reviewed alone. The law society generally is supportive of the intention behind the amendments in respect of appeals against conviction; however they take issue with the requirement that the defence must establish that a substantial miscarriage of justice occurred, rather than simply a miscarriage of justice. They argue that, by adding in the word 'substantial', this can create confusion and ambiguity as it introduces different criteria.

I think it is fair to say every time we in this place change a phrase or introduce a new word, it can create legal chaos at the other end, because we do heavily rely in the application of our laws on there being some consistency in interpretation and the development of a body of law, called common law, which supports and continues to reinforce the interpretation or definition of a certain word or phrase. Sometimes that changes over time; words acquire new meanings or multiple meanings or become confusing in their common usage and therefore they attract arguments for change or expansion. But what truly confuses that whole process is when we add in an extra word to a phrase which has been in an established body of law.

So we may not think it very important here in this house that we add in words and therefore make them inconsistent with the use of that phrase or the interpretation of that phrase where it may appear in another area of law but, believe me, it can cause significant problems. So we try as much as possible to keep consistency, say, within the realms of the criminal law and what rules are going to apply. In this instance, we are talking about appeals and in what circumstances we counter the finality principle and introduce the new rules.

The society has a point, and I think we would be asking from this side of the house that the Attorney be aware of that, and we may need to look at some review of it. On the cross appeals issue; this is the situation where the bill is to provide for the prosecution to have a right to cross

appeal in the context of a defence appeal without the need to seek leave of the court. The government claims that it would provide greater parity between the parties and discourage defendants from lodging unmeritorious appeals.

I just want to remind members of the house that there is an old adage: better that a guilty person go free than an innocent person be hanged. It identifies the importance of having some fairness in our appeal processes. There was a time (and I cannot recall when this changed) that when a sentence was passed on a convicted defendant he or she may have had the right of appeal in certain circumstances but the prosecution did not; they were not even able to. They might think that it is the most pathetic sentence, or that it is manifestly inadequate, and all those things, in their view, but there was no entitlement for them to complain to a superior court.

That has been changed, and it recognises that the public expects that if you are going to have an appeal process there will be some parity of access to that and some recognition of the importance of both sides being able to have a review of what may have been a manifestly inadequate or excessive sentence, by way of example. We come from a situation now where the government is saying it will introduce parity and try to somehow or another discourage defendants from lodging unmeritorious appeals.

Appealing is an expensive process. It is not a situation where people just line up and lodge a one-page document to say they want to appeal because they did not like a decision. This is an expensive exercise. There is not only the cost of a transcript, but obviously there is the preparation of appeals, the lawyers and the reappearances even to apply often to have the right to appeal granted. Certainly, if one goes to superior courts such as the High Court there are a lot of barriers in being able to get in the door, and it is a very expensive process. I suggest that it is a very substantial financial impediment for those who have the means to go down that road in any event.

Many would argue inaccessibility of the law, that it is only the very rich and the very poor who can afford to do these things. Then I go to the other group in this category and those who have been the recipients of legal aid and are eligible for that. They have to be able to satisfy the Legal Services Commission that their appeal is meritorious if they are going to be granted support to go that far. I would have to say that the risk of there being unmeritorious—

The Hon. J.R. Rau interjecting:

Ms CHAPMAN: The Attorney interrupts to remind me that some other organisations do not have a merit test. If he is referring to the Aboriginal Legal Rights Movement (it has a new name, I think; the Attorney may have changed the name, but I think they just changed the claims section division), certainly, historically, it did not have a means test for applicants, and whether or not there is any merit test, I do not know.

Even if there is not, in the sense that anyone can line up and say they want to appeal and therefore have some expectation, unless things have changed very substantially the ALRM has a limited budget. They regularly run out of it by about March or April every year, and they sometimes have to send their prospective clients off to other services such as the Legal Services Commission to get representation.

It may be that the ALRM has a practice of simply taking applications as they come in and in some way is under some obligation to take up unmeritorious cases; if that is the case, it seems to me that is a matter that is a decision of the ALRM with or without the assistance of guidelines from the Attorney as to—

The Hon. J.R. Rau interjecting:

Ms CHAPMAN: They are a federal creature, the Attorney says. I am sure the new federal Attorney could take that up with them if he felt that across Australia there was some wasteful application of funds towards priority of projects which are less meritorious than those whom they are really there to represent. I just think there are other ways to deal with that rather than to try to use this type of approach to deal with that.

The third and other substantial area of the bill is in respect of Full Court benches. Quite simply, as members may be aware, there are different appeals from one court to another. Sometimes if there is an appeal from the Magistrates Court, it goes to just one judge in a higher court; sometimes it goes to an appeal panel which may comprise three judges. Sometimes when we get to some other higher courts, you can have half a dozen of them or more sitting across the bench, especially when you get to the High Court. For different reasons, there are different groupings of numbers that comprise the Full Court bench.

This is a bill to enable the Chief Justice of the Supreme Court to constitute the Court of Criminal Appeal by a bench of two judges rather than three for appeals against sentence and conviction. It is intended that this discretion would only be used in matters not expected to be contentious. A similar model is used in Victoria and New South Wales, and the Chief Justice has apparently sought this change.

The bill would allow the Supreme Court to eliminate a step from the criminal appeal process. Currently the appellant must convince a single judge that their case has merit. If successful, the appellant then argues their case before the Court of Criminal Appeal—so, that is three judges. The bill would allow the process to happen in a single hearing before two judges who have the power to make a final determination of the case. The current Chief Justice, His Honour Chris Kourakis, was quoted in *The Advertiser* as supporting the bill as follows:

[the Bill provides the Court with] a simple tool that would give the courts an extra bit of useful flexibility...It will save time and expense for the Director of Public Prosecutions, the accused person and Legal Aid. [Further it] also saves the resources of the court because I won't have to sit as many judges for an appeal...Appeals were consuming more of the court's time [and] should be able to be dealt with in an hour or two, but they were taking quite a bit longer, leaving fewer judges for criminal trials and civil cases and that needed to be tackled in some way.

Mr Kourakis was reported not to foresee problems with the proposed change. He said:

If the two judges were divided, they could still refer [the appeal] on for three judges to hear it.

The Law Society has looked at this matter and has raised some concerns. The Law Society highlighted that the Criminal Appeal Act only allows the Court of Criminal Appeal to be constituted by two judges to hear sentencing appeals and only when the Chief Justice is satisfied that the appeal is unlikely to require an issue of general principle to be resolved.

The New South Wales Criminal Appeal Act prescribes what happens when the two judges are divided in opinion. The amendment is silent on these matters. The society submits that the amendment should mirror section 6AA of the Criminal Appeal Act so that these issues are dealt with in legislation as confined to appeals against sentence.

There are some other matters that have been raised, claiming that there is a conflict with section 349 of the Criminal Law Consolidation Act 1935 by this provision. The society submits that due to the seriousness of conviction appeals they warrant always being heard by a Court of Criminal Appeal being constituted by three judges.

I do not have any data that I have reviewed in recent times as to the number of appeals that would be affected by this legislation, whether it is for either or both conviction or sentence. If that were to come in as proposed or if would just be for sentences, I am uncertain as to what the current percentage of the workloads of full courts are in respect of criminal matters and/or the division between sentence or conviction or, indeed, both.

Essentially, if this matter is before us and it has been presented as some cost saving and it seems that the Chief Justice is understanding of that in the sense that he wants to be able to apply his judges to other tasks to be undertaken rather than having them languishing on full court matters, then that is something that we need to take into account. It should not be the driving determinant because, after all, we are dealing with people's lives and their liberty and we need to make sure that we always have this right.

I was only saying this week that the extraordinary thing about the amount of time that we spend on amendments to criminal laws and, in this instance, the processes that go with them—in particular, appeals—is quite disproportionate to the amount of people who are actually affected in a direct manner. I would assess that we probably spend over 90 per cent of our legislative week in this place dealing with legislation relating to reform of laws in those areas.

Certainly, this week, except for some time we spent on wilderness this afternoon, has been almost exclusively spent on these matters; and yet, thankfully, in the community, the people who might ever have to tiptoe through these pieces of legislation are a very, very small minority. Fortunately, most people are law-abiding citizens who, in their lifetime, may come up against some summary offences or traffic behaviour that has caused a problem.

Most of us, most of the time, are well-behaved and we do not ever come across the hard hand of the law but, if we do, then we need to know that we are going to get a fair hearing, we are going to have laws that will adequately protect us and, if the courts, as they do—judges are human—get it wrong, then we have got a proper appeal process that can review that and ensure

that, as much as possible, people get a fair trial and we have the ultimate effect of catching the bad people and ensuring that we do not punish the innocent.

I will just make one other comment in relation to the quashing of convictions. The bill introduces a proposal to enable the Attorney-General to refer a matter to the court and allow the court, if it thinks fit, to quash a conviction where the Governor has granted pardon for a conviction. That is to deal with some age-old processes that we have dealt with in those processes, so I do not have any further comment to make about that. I understand that the Attorney has some amendments to the appeals bill, which are to accommodate some of the concerns raised by the Law Society and maybe others.

The Hon. J.R. Rau: Chief Justice.

Ms CHAPMAN: Chief Justice. He has obviously reviewed that and has recommended some ways forward. It is fair to say that the opposition always appreciates and is respectful of the advice that is given by either the SA Bar Association—which, for the record, I am a member of—or the Law Society of South Australia. They spend an extraordinary amount of time doing research and identifying areas of weakness to assist us in making sure that we make the most just and equitable laws.

I appreciate them doing that but we, in the opposition, do not, obviously, always accept wholesale their recommendations—the Attorney does not either, I respect that—but we do value their advice. It has certainly been very helpful with this bill. Similarly, on matters which directly affect the operation of the courts, the advice of the Chief Justice is invaluable, and I thank him for allocating his time and wise counsel in that regard. We will review these amendments between the houses, but they appeared to be consistent with some of the areas that we were looking at. I thank the Attorney for bringing them to our attention.

The Hon. R.B. SUCH (Fisher) (15:15): I will just make a short contribution. I think this bill is a good bill in that, as the member for Bragg said, and as I am sure the Attorney acknowledges, no system is perfect. When you have humans involved, it is not always going to be perfect, and things can go belly-up, to use a basic expression, even with the best intentions and when people are trying to do their best, whether in a court system or elsewhere.

I will just share a few thoughts, and some of the things I have observed and learned, having gone through the process, while not at a level of serious criminality. Others may disagree, but I came to a conclusion at the end of my experience with the courts that the Magistrates Court is the most important court because, if it does not get past first base, it does not usually get anywhere. That is lesson No. 1: the Magistrates Court is very important.

The other thing is that, if you are represented by a lawyer, you are effectively in the hands of the lawyer, who may or may not do what you would hope or want, but if you do not have a lawyer, you also take a big risk—in most cases, I think you probably take a bigger risk—so it is a choice: the devil or the deep blue sea.

I also found that in a traffic matter, which starts out as a criminal matter (which traffic matters are) when you appeal it to the Supreme Court, the fee structure changes because it then becomes a civil matter. You go from an appeal in the Supreme Court; I do not know what the fee is now—these are approximations, as I am just going on my recollection—but I think if you appeal and it is a criminal matter, it is around \$190, although that has probably gone up with CPI or something else.

If you appeal and it becomes a civil matter, as a traffic expiation matter does, then it is around \$1,900. There is a little bit of a difference there. I would just like to point that out. The whole process is costly anyway, and it seemed rather incongruous to me that, when it changes from a criminal matter to a civil matter, the fees suddenly escalate dramatically.

The other lesson I observed was that an appeal court, in effect, can only consider what is appealed. That was another lesson I learnt, at great expense and to my detriment, if the lawyer does not appeal on every possible ground. I have now been told by people who are very experienced in the law that if you are going to appeal, you appeal on every ground under the sun so that everything can be considered, because no appeal court is going to go on an expedition looking for work, or looking to consider something that has not been put to them.

You are in the hands of a lawyer if you are represented, or your own (probably inadequate) judgement if you are not. That particularly hit home for me in the Supreme Court, where His

Honour Timothy Anderson said—and I am paraphrasing—'Look, you can have another trial,' and my lawyer sat there and said nothing.

I had been told that if you are sitting in the court, you cannot jump up and say, 'Your Honour, I was disadvantaged because the first lawyer I had withheld critical material until after the Magistrates Court hearing and suddenly, after the Magistrates Court hearing, cartographic evidence, the aerial photographs, and all the detailed material was produced.' That was not produced until after the Magistrates Court because the first lawyer became ill.

We understood, and he was asked to provide it to the second lawyer; that did not happen but in any event the second lawyer was told about that. When His Honour Justice Anderson said, 'It's possible to have another trial,' the lawyer sat there. I am sure that if the lawyer had said, 'Your Honour, my client was disadvantaged because critical evidence was withheld in the Magistrates Court,' he would have said, 'Well, look, I am prepared to order another trial.'

The other mistake I made was that the lawyer who represented me in the Magistrates Court said, 'Look, I don't normally do Supreme Court appeals, but I can do it at a special rate for you'. That was another mistake, and being naive about these matters I thought, 'That's fine, he'll be okay'. I learned later that if you are going to have an appeal you need to get people who specialise in appeals because you can appeal on a ground, as happened in my case, which is not part of the law.

The judge ruled that what my lawyer was arguing—that the police did not follow Australian standards—was not in the Road Traffic Act, and they do not have to. They do not even have to obey the commissioner's instructions. So, you are shot down again. When we appealed to the Full Court, and I had a QC doing it pro bono and a former police forensic scientist, the Full Court said, 'Oh, look, the magistrate has looked at this. We're not looking at it,' so you are out the door and, in effect, left high and dry. As I said earlier, the courts do not go looking for things to consider in an appeal; it is only on what is raised.

Evidence put to the Full Court included things like the certificate of accuracy for the police laser which had been whited out and altered with a biro, and that was accepted in the Magistrates Court. Being naive, I thought in an appeal court a judge would say, 'This is not acceptable to have a government document that has been whited out, altered with a biro and the wording changed,' but that was accepted in the Magistrates Court. In the end, that was what got me hung because the Road Traffic Act states, 'If there is a certificate that purports to be,' blah, blah, blah, then that is the situation.

The other issue, just to come to a conclusion, is that, given that the magistrate said, 'Look, you have an exemplary driving record, you have never had a speeding infringement of any kind in nearly 45 years of driving, never had an accident, but you still get a conviction,' being naive, I thought that a lawyer would say, 'Your Honour, irrespective of whether or not you agree that he was travelling at 69 km/h, I don't think he deserves a conviction,' but the way it went through the appeal system was that I still ended up with a conviction.

I think the lesson to me, and to others, and you can only really come to grips with this if you have experienced it firsthand, is that the system—and I know that this bill is dealing with more serious matters than mine, but even at my minor level I was appalled at a process—can leave you high and dry at great expense and you still cannot get justice through the system. I can imagine how with a more complicated, higher level of criminality, people could end up with an outcome which is unfair and unjust.

As I say, my case is nowhere near the level of what is likely to be dealt with here, but I think it is important that we have a review process. I know that the government, and I think most members, did not support a criminal cases review commission, and I think for good reason. However, I think modifying the appeal system as reflected in this bill is a very good and progressive measure because anyone who gave some thought to it would realise that the system is not perfect and never will be perfect.

I think, particularly in a criminal matter, for someone to be sentenced or convicted for something they did not do—and I am sure from time to time, there have been many cases like that—is one of the most appalling things to happen. I think it is worth getting the system right, so that it is fair. I know it is a system of rules. It is not a system of justice, but I think as far as possible it should be a system that results in the guilty being found guilty and the innocent not being falsely and wrongly convicted.

Mr PEGLER (Mount Gambier) (16:25): I rise to support the improvements to the rights to appeal bill. I have always felt that there should be a process in place where, when there is new evidence or fresh evidence, people should have the right to appeal and, if that appeal is upheld, they should receive a full pardon and their conviction should be quashed. I also agree with the proposal in the bill that if somebody does appeal, the prosecution also has the right to appeal.

Too often, people will just try to appeal knowing that there will be no repercussions and they will take up valuable time, whereas this way they will have to think very seriously and, of course, if the prosecution has new and compelling evidence, they will be able to present the evidence and justice will be seen to be done for all concerned. I also support the process of going back from three judges to two judges. It appears to work in other states and I would certainly support that in this state. I will be supporting this bill.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (16:26): I thank all of the contributors. I thank in particular the honourable member for Mount Gambier for those encouraging words of support.

The Hon. R.B. Such interjecting:

The Hon. J.R. RAU: And, of course, the member for Fisher. As is often the case, I am still not exactly sure where the opposition is landing on this one. They raise a lot of questions but do not actually say they are with us or agin us but anyway, no doubt, in the fullness of time, when it gets into another place, the situation will be revealed.

I just want to say a few things here. First of all, yes, we are moving some amendments in the house in a moment when we go into committee. Those amendments are matters that were drawn to my attention by His Honour the Chief Justice after the original bill had been drafted. I am happy to accommodate the Chief Justice's concerns, so in a moment, just to save time, I will talk about what those amendments are and what they are designed to do. However, I just want to make a couple of general observations about this.

First, the Law Society. I am an ex-officio member of the Law Society. I am ex officio because, once I became a minister, I was no longer eligible to be a member of the Law Society, or the Bar Association for that matter. They both booted me out, member for Bragg; both of them kicked me out. They said I was no longer eligible which, given how long I had been a member of both organisations, I found rather distressing, but never mind. However, every cloud has a silver lining because, even though the Law Society had booted me out—and I am not being nasty about that, by the way; I should not use the word 'booted'—even though they advised me that I was no longer within the eligibility criteria, as luck would have it the Legal Practitioners Act says that I am still an ex-officio member of the council of the Law Society, so I get back in through the back door anyway.

The other exciting thing that I drew to the attention of the Law Society was that, many years ago I stood for a position as a member of the executive of the Law Society. They used to have this system where they did not just have a secret ballot; they did not even tell you what the result was. All I got as a candidate was, 'Yes, we acknowledge you're a candidate,' and then I got a letter back saying, 'Sorry, you didn't win.'

I wrote back saying, 'I can cop that, but was I within cooe of the result?' Eventually there was this battle that took place within the Law Society and eventually what they said was, 'But what if somebody has run and they got a terrible vote, won't they be embarrassed if we say they only got 40 votes?' I said, 'Well, if they are too precious to have that exposed in the Law Society bulletin as a general report to members after an election, God help us, they should not be sticking their name out.' Anyway, I am happy to say a reform did occur, which was that, when there was a ballot in the Law Society, the actual number—

The Hon. J.D. Hill: How many votes did you get?

The Hon. J.R. RAU: I think I got about 500 and something or—

Ms Chapman: No, 50,000.

The Hon. J.R. RAU: Anyway, I'm sure if the honourable member for Bragg had run, she would have beaten me.

Ms Chapman: I probably voted for you.

The Hon. J.R. RAU: She may have voted for me; who knows? I got reasonably close, but they wound up publishing it in the bulletin anyway, saying 'X-thousand ballots cast; the ballots were cast as follows', which all of us would find completely unremarkable, but the Law Society at the time found that shocking. I think since that time they have gone back to their old practice.

Anyway, there is a purpose for me telling you this, Mr Deputy Speaker, because I wanted to be on the Law Society Council, and for 20 years I thought, 'How am I ever going to get on the Law Society Council?' Then I worked it out: if I could somehow manage to become Attorney-General, by reason of statute, I would be on the Law Society Council, and so here I am. So I finally got there after all this time.

That was a little historical thing. Anyway, the Law Society is an august body, a good body, but sometimes it is a body which has a view which is reflective of its membership rather than reflective of a totally objective point of view. Whilst I always listen to the Law Society and I always respect what they have to say and they have been of great assistance to me on many occasions, they are not always right.

The letter that I have a copy of, dated 31 January, from which I believe the deputy leader was drawing some inspiration during her contribution, is, like many other letters that come from the Law Society, informed by those who wrote it. My gut feeling is that this would have been written by a mob called the Criminal Law Committee.

Ms Chapman: A mob?

The Hon. J.R. RAU: Sorry; an august group. I beg your pardon, they are not a mob. They are an august group called the Criminal Law Committee. Members of parliament may or may not know—I know the deputy knows—that, almost to a person, they are members of the criminal bar. The criminal bar, generally speaking, though not always, derives a substantial amount of its work from defence work, because basically the prosecutors are in the DPP and so they are basically criminal defence lawyers.

By reason of being criminal defence lawyers, either they are getting paid by private people who are charged with criminal offences, or they are getting your money from the Legal Services Commission. The reason I am giving that slight explanation to everybody is, when you read this, understand who has written it. These are people whose job it is to defend people charged with criminal offences. These are not people who are trying those cases and they are certainly not prosecutors.

So, one would reasonably expect there to be some bias towards the criminal bar's point of view in this document, as indeed there is. It does not mean it is a silly document. It means one needs to read it with one's eyes open. The remarks about 'substantial', to which the deputy leader referred, are a perhaps useful illustration of the point I am trying to make. I am advised that the phrase 'substantial', qualifying a miscarriage of justice, has been part of the proviso since 1899. That's not 1999—1899.

So, the suggestion in here that that is something a little bit weird or strange, I am advised, just does not stack up. There is endless law, culminating, I understand, in the case—which I am sure the deputy has read—of the High Court decision in Weiss, which goes into some detail in explaining this. So, that is, with respect to the Law Society, a bit of a furphy.

Whilst we are on the Law Society, can I by way of illustration also say: their contributions are always valuable, but one has to look behind the paper and ask where it has come from. I was not aware of this when we were debating the other day about the small venues legislation, but I believe the deputy was in possession of a letter from the Law Society, which I have since seen.

That letter from the Law Society, which purported to express an opinion on behalf of the legal profession, was written by a person who, to be the best of my knowledge, since he was in his early 20s has worked in one law firm, and in that law firm he has had one job. That job has been to represent members of the AHA in respect of liquor licensing applications. So, whilst that does not mean he is a bad person and it does not mean he is ignorant of the law, it would have perhaps been useful to have a clear caveat in this thing, as Alan Jones does when he says, 'Everyone, please have a glass of Milo; by the way, I am sponsored by Milo.' We did not get any of that, nothing. It appeared to be a completely objective contribution from the Law Society, which it is not.

Ms Chapman interjecting:

The Hon. J.R. RAU: Anyway, I am just saying that the Law Society is very helpful, but one needs to be careful with what one does with what they offer. In the end, can I say to the deputy leader: here is the choice. We have a series of propositions which I can assure the deputy leader and all members of this house have been approved after serious reflection by the Chief Justice of South Australia. He has discussed these matters with other judges on his court, and he is satisfied that these changes are both effective and appropriate and reasonable. I have discussed this with the Director of Public Prosecutions and, through my staff and advisers, he has also advised me that these are acceptable measures.

All I would say to the deputy leader and other people is: if you have the Director of Public Prosecutions and the Chief Justice of South Australia saying, 'Please do this for us,' and the only people who do not want it are the criminal law group within the Law Society, I think the trump cards are being held by the first two people, not the last one. If I had to say in case of difference where do you go, I go with the Chief Justice and the Director of Public Prosecutions; that is where I go without in any way being disrespectful of the comments they have made.

With those few words, I will explain what the further amendments are that we are seeking to move. The Chief Justice has raised two incidental issues which we intend to move amendments in order to accommodate. The amendments also resolve an issue that has been identified with the court's efficiency reforms passed last year. The first one is an amendment to section 353—Determination of appeals in ordinary cases. It involves deleting subparagraph (a) and substituting:

- (aa) it may revoke any permission to appeal granted by the court of trial;
- (a) it may confirm, vary or reverse the decision subject to the appeal.

I am advised that the Chief Justice has suggested that these amendments should be made to allow the Full Court to revoke a grant of permission to appeal given at a pre-trial stage. When a trial judge makes a decision on an issue antecedent to the trial, section 352(1)(c) of the Criminal Law Consolidation Act enables a defendant to appeal against the decision before the trial starts, but only with the permission of the trial judge.

If permission is granted, the Full Court must hear the appeal. This amendment gives the Full Court the ability to refuse to hear the appeal and send the matter back to the trial judge for trial to continue in the ordinary way in situations where the Full Court believes that it is not appropriate for the trial to be held up.

This amendment will promote the expeditious hearing of criminal proceedings and discourage pre-trial satellite litigation. I had not heard of that, but apparently that is the terminology, I believe. It will not affect a defendant's right to appeal a conviction in the normal way if that is the outcome of the trial. That is the first one.

The second one is the repeal of section 367. This amendment is apparently consequential to amendment No. 5 five. Appeals under section 352 of the CLCA against sentences imposed in the District and Supreme courts lie to the Full Court by permission. The current section 367 enables the power of the Full Court to be exercised by a single judge.

Ms Chapman interjecting:

The Hon. J.R. RAU: I am not saying they are wrong, and the Chief Justice loves all this too. If the single judge refuses permission, the application may be renewed to the Full Court. Amendment No. 5 amends the Supreme Court Act to allow a single judge to exercise the powers of the Full Court of the Supreme Court in relation to not only appeals against sentences imposed in the District or Supreme Court, but it also extends the power to include those appeals from major indictable offences in relation to which a sentence was imposed in the Magistrate's Court. As amendment No. 5 is of general application, section 367 of the act will have no work to do. This amendment was requested by the Chief Justice, and we put it up.

The next one is amendment to section 42. This amendment has two parts. New clause 7A(1) clarifies the operation of section 26 of the Statutes Amendment (Court Efficiency) Act. Section 26 states that the appeal right for a defendant who is sentenced for a major indictable offence in the Magistrate's Court will lie to the Full Court of the Supreme Court. This amendment clarifies that appeal lies to the Full Court not just in relation to the sentence imposed for the major indictable offence but also in relation to the sentence, or part of the sentence imposed for any other offence, or offences for which the defendant was sentenced.

The example is a person charged with multiple things: one of them is a major indictable offence dealt with in the Magistrate's Court. Appeal lies up to the Supreme Court about that, but the multiple other offences are dealt with in different appeals streams—obviously silly; they should all travel together, which is what this proposal seeks to do.

So, this proposal provides for the Chief Justice to have the discretion to convene a court of criminal appeal with two rather than three judges. The new clause also provides the chief justice with this discretion in relation to appeals from sentences imposed in the Magistrate's Court, which include sentencing of major indictable offences—so, there we are. All of these are actually common-sense matters and will enable the court to be more flexible and nimble in its treatment of matters.

The next amendment is consequential on amendment No. 4; I will not go into it in any depth. The next one is an amendment to section 48 dealing with the full jurisdiction of the court. This amendment inserts a general provision to the Supreme Court Act to allow a single judge to exercise the powers of the Full Court, in certain limited circumstances as previously discussed.

So, Mr Deputy Speaker, that is a brief summary of the position. I do hope that the opposition ultimately will be persuaded to support the bill as amended in its current form. The situation with respect to the word 'substantial' I think I have said something about and that can be considered, or not, as the case might be.

In terms of the business about the case review process, I think it is very important—I probably did say this before, but I will say it again—to bear in mind that the present process for people who have been convicted and exhausted their appeal rights is very, very mysterious. It is mysterious because what happens is that they are languishing in gaol, they have no right of appeal. What they do is write to the Governor and they say, 'Governor, please let me out, I'm a good person.' The Governor then seeks advice from the Solicitor-General, who has to read a lot of material and form an opinion and inform the Governor, and then ultimately the Governor makes a decision.

None of that process occurs in any way in a public forum. It is all happening behind closed doors, as it must because it involves the Governor. However, what we are doing here is bringing that to a public forum, which is a court. So, anybody who believes they have one of these cases is able to appeal, take the matter to a court in a public forum and say whatever they want to say in public, hear whatever anyone else wants to say about it in public, and we have that marvellous disinfectant of sunshine just covering the whole circumstance—magnificent. I am starting to feel quite warm about it right now. I commend the bill, as amended, to everybody, and I believe we will move swiftly through the committee stage of the bill.

Bill read a second time.

In committee.

Clauses 1 to 4 passed.

New clause 4A.

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

Page 3, after line 5—After clause 4 insert:

4A—Amendment of section 353—Determination of appeals in ordinary cases

Section 353(3a)(a)—delete paragraph (a) and substitute:

- (aa) it may revoke any permission to appeal granted by the court of trial;
- (a) it may confirm, vary or reverse the decision subject to the appeal;

New clause inserted.

Clauses 5 and 6 passed.

New clause 6A.

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

Page 4, after line 5—After clause 6 insert:

6A—Repeal of section 367

Section 367—delete the section

New clause inserted.

Clause 7 passed.

New clause 7A.

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

Page 4, after line 12—Before clause 8 insert:

7A—Amendment of section 42—Appeals

- (1) Section 42(2)(ab)—after 'person of' insert:
an offence that is, or offences that include,
- (2) Section 42—after subsection (2) insert:
 - (2a) The Chief Justice may determine that the Full Court is to be constituted of only 2 judges for the purposes of hearing and determining an appeal to the Full Court of a kind referred to in subsection (2)(ab).

New clause inserted.

Clause 8 passed.

Clause 9.

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

Page 5, line 18 [clause 9, inserted paragraph (b)(ii)]—After '*Criminal Law Consolidation Act 1935*' insert:

or section 42(2a) of the *Magistrates Court Act 1991*

Amendment carried; clause passed.

New clause 10.

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

Page 5, after line 18—After clause 9 insert:

10—Amendment of section 48—Jurisdiction of Full Court, single judge and master

Section 48—after subsection (2) insert:

- (3) Subject to subsection (4) and to the rules of court, where any Act provides that 1 or more of the following powers relating to appeals are exercisable by the Full Court, the power may, instead, be exercised by any judge of the Supreme Court in the same manner as the Full Court and subject to the same provisions:
 - (a) the power to give permission to appeal;
 - (b) the power to extend the time within which notice of appeal, or of an application for permission to appeal, may be given;
 - (c) the power to allow the appellant to be present at any proceedings in cases where he or she is not entitled to be present without permission;
 - (d) the power to admit an appellant to bail and to direct that time spent in custody by an appellant pending determination of an appeal be counted as part of a term of imprisonment.
- (4) If a judge refuses an application by an appellant to exercise any power of a kind referred to in subsection (3) in his or her favour, the appellant is entitled to have the application determined by the Full Court.

New clause inserted.

Schedule and title passed.

Bill reported with amendment.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (16:49): I move:

That this bill be now read a third time.

Bill read a third time and passed.

WILDERNESS PROTECTION (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 31 October 2012.)

Mr TRELOAR (Flinders) (16:49): I indicate that I will be the lead speaker for the opposition on the amendment bill. I acknowledge the member opposite, and I understand that he and I are both operating in this capacity for the very first time. So, if you will bear with us I am sure we will get through it. I rise today to support the amendment of the Wilderness Protection (Miscellaneous) Amendment Bill. The bill was initially tabled by minister Caica in November 2012 in anticipation of a motion to proclaim a new Nullarbor Wilderness Protection Area. The reason I have been able to take the lead role in this particular amendment bill is because the Nullarbor Wilderness Protection Area lies almost entirely within the electorate of Flinders which I represent. So, I am really thrilled to be able to do this.

Minister Caica and former premier Rann visited the far west of the state in March 2011 and indicated then that a proclamation would be made of the wilderness area. The wilderness area, in essence, lies west of the Head of the Bight all the way to the Western Australian border and runs north-south from the Great Australian Bight up to almost the east-west railway line. So, it covers quite an extensive area. I am not sure exactly of the area in square kilometres, but I am sure we can find that out.

The amendment is proposed because under the existing act, as I understand it, there is no capacity for providing for existing leases, and there are a number of them within the area. Certainly, the Nullarbor Roadhouse is just within the boundary of the Nullarbor wilderness area, an existing premises and business. Also, the Head of the Bight operates a business, mainly to do with whale watching and such tourist activities, although looking at the map it may be that that is just outside, but anyway access to the Head of the Bight would be required through the Nullarbor protection wilderness zone.

There is also, under the act, as I understand it, no provision for co-management with Aboriginal communities, as applies under the parks legislation, so obviously that needs to be a priority of the amendment. I understand adequate consultation has occurred with those Aboriginal communities and also those who have native title pending. So, it will be, in essence, a co-managed area.

I would like to thank the government and the department for offering a briefing to us (yesterday). The member for Bragg attended, as did the members for Hammond, Finnis and myself. That was much appreciated. I think it is fair to say that the intention of the wilderness act is to conserve the native landscape, the native environment, as a pristine environment. The national parks act is slightly different in its intention in that its intent is to preserve rather than conserve. There is a subtle difference and it is probably particularly pertinent to this particular area because true wilderness areas are relatively rare anywhere in the world, let alone here in South Australia.

In doing my research, I notice that there are a number of wilderness areas that have already been proclaimed in South Australia: five on Kangaroo Island and two in the Riverland, and I see the member for Chaffey here listening with interest. There are four already proclaimed and underway on the Eyre Peninsula: Memory Cove, which is where Matthew Flinders lost a couple of his men; Hincks, in the central part of the peninsula; Hambidge, also in the central part of the Eyre Peninsula; and then Yellabinna, which is way out west, in fact it almost adjoins the wilderness area of the Nullarbor proclaimed zone.

The word 'Nullarbor' means 'no trees'. It is Latin. It comes from the Latin 'nullus' for 'no', obviously, and 'arbor' for 'trees'. Many assume that it is an Aboriginal name, but it is not, it comes from Latin. I have only visited the Nullarbor once, and that has been since my time as the member for Flinders. It is an absolutely iconic part of the Australian landscape. I think it ranks right up there with Ayers Rock and the Olgas, and probably as a tourist attraction is much sought after. The trip across the Nullarbor is almost something that I think every Australian should do at some point in time. It is an extraordinary experience to drive across it.

There are virtually no trees. There is the occasional one but slowly they diminish. There is an area to the north of almost intact and pristine mallee woodland but, for whatever reason—I guess it is a combination of geography, geology and climate—the trees disappear and the Nullarbor is just that—a vast plain of no trees.

Interestingly, my wife and I visited there, as I said, a couple of years ago in, I think, late 2010. We took our children, a couple of other families came with us and we drove all the way from home on Lower Eyre Peninsula to the Nullarbor Roadhouse on the first day, intending to go back to the Head of the Bight to have a look at the whales the next day.

We had had a long day and when we got to the Nullarbor Roadhouse it was well past dinner time. We walked in and I noticed a fellow was busy out in the kitchen of the roadhouse and I asked him if he was the chef. He said, 'No, sir, I am the cook.' It indicated to me that there is a special type of person who takes on the roles at these more remote places. It was a wonderful visit and, as I said, it was the first time we had had the chance to do it, and it was very memorable.

Wilderness areas have always been significant, I think, in human history. Obviously, as *Homo sapiens* spread out across the world, they went into truly wilderness areas and eked out an existence in whatever way. Slowly, agriculture developed and, of course, those wilderness areas started to be more inhabited and more impacted upon, but in a good way. We as a species rely on a productive landscape, and all that is left now are areas that are either very, very remote or far too inhospitable.

I was harking back to my Sunday school days today and I remembered that, in the book of Exodus, Moses led the Israelites through the wilderness for 40 years until they found their way to the promised land, so the wilderness was important. Jesus, in fact, spent 40 days in the wilderness following his baptism, and the devil appeared to him.

I am sure that will not occur out in the Nullarbor, although you never know. The Nullarbor nymph appeared, apparently, at one point. I understand a movie has been released very recently depicting that legendary sighting of a scantily clad female racing around on the Nullarbor Plain back in the seventies.

The Hon. R.B. Such: Probably Lady Gaga.

Mr TRELOAR: Lady Gaga—it could have been. I have not seen the movie yet, Bob. All over the world, as colonisation took place, these wilderness areas disappeared, and that is exactly what happened in this part of South Australia as well. In fact, Edward John Eyre set foot upon the wilderness and explored what was to become Eyre Peninsula—a part of South Australia that is now named after him.

The member for Bragg loaned me a book a little while ago, which was a summary of Ernest Giles's trek in this part of the world exactly. He set foot in Fowlers Bay and explored to the north and to the west in what was really incredibly inhospitable country. He explored it, he survived, he mapped it, he returned to write his diary and so another part of the Australian continent was understood.

The railway extended across the Nullarbor in 1917. It was not until then that the colony in Western Australia, or what was by then the state of Western Australia, was joined to the rest of the country. In fact, east and west were not joined properly by road until the 1940s, so we really are talking about a very remote part of the state. I can recall, in the 1970s, the sealing of that road taking place.

That part of the state we are talking about is a unique landscape. It was initially trialled for grazing. Of course, as the country was opened up and explored, the merino sheep soon followed. It was probably quite strong grazing country, except that it lacked water and, of course, the wild dogs, the dingoes, were a real problem and, really, that was never resolved across the Nullarbor, otherwise it may have been retained for grazing. Of course, the inside country now refers to that farming and pastoral country that is inside the dog fence and so protects all those pastoral enterprises from the ravages of wild dogs.

I will go back to our visit to the Nullarbor. One of my nephews was caught in a phone box and surrounded by dingoes. He was actually quite frightened until he was rescued. So they are a serious risk, certainly still to sheep farmers and sometimes to humans. This part of the world is now largely avoided, except for tourists, who tend to drive straight across as quickly as they can. Although, having said that, I understand that there are some quite spectacular caves across the Nullarbor which are sometimes used for diving and exploration.

I have only visited a couple of those and only those that are close to the highway, but my understanding is that they are quite spectacular and extraordinarily interesting cave formations. The Head of the Bight, as I have mentioned, is renowned for its whale watching when the whales

visit, particularly over the winter season to calf. That attracts many tourists from all around the country to the Nullarbor Roadhouse.

The other thing I think worth mentioning while we are talking about access, tourism and the use of this particular part of the state is the Nullarbor Links Golf Course. I attended the opening three years ago, I think, and I attended the hit-off of the season again this year. There are 18 holes right across the Nullarbor. Holes one and two are in Ceduna—and you can tee off from there—hole three is at Penong, four is at Nundroo, five is at Nullarbor and six is at the Border Village, and so on right across to Kalgoorlie. It is renowned and quite an interesting course. Once again, many tourists from right around the world come to play at that course.

The challenge with all of these wilderness areas of course is the management. Co-management is preferable. I have mentioned the interested parties, particularly the Aboriginal populations that have native title. They need to be involved. I understand that consultation has occurred with them and also with all of the other interested parties.

I think it is worth briefly referring to the original act of 1992. It raises some interesting points. Even though we are discussing the amendment, I think there are a number of things in the act worth mentioning. I note with interest that part of the act describes that the destruction of dangerous weeds and the eradication and control of noxious weeds and exotic plants is a requirement under policy, that the control of vermin, exotic animals and other exotic organisms must be a requirement, and also the eradication and control of disease of animals and vegetation. This is absolutely the biggest challenge with the management of any of these wilderness areas.

I can tell you that in the Nullarbor wilderness area that is about to be proclaimed, a significant number of feral camels are roaming around. There is buffel grass. In other wilderness areas in this state there are pigs, goats, cats, horehound, salvation Jane and whatever you might like to add. Aspirational though it may be, the return of some of these areas to their pristine condition is going to be very difficult.

Another part of the act actually states that, to qualify for a wilderness area, the zone must be able to be restored to a condition that justifies its protection. So, as I said, the challenge is in the management, particularly of feral animals, a significant number of feral animals, which are not really managed at this stage. There is an occasional cull of camels but, as far as weeds and some smaller animals are concerned, there is certainly no active management. In fact, I have it on good authority that the camels are at such a level just north of the dog fence—and of course it is getting drier and they are looking for water—that they are busting down the dog fence and coming into the farming country, destroying watering points and, of course, letting the dingoes in. The issues are ongoing.

Of course, mining is allowed, even though it is a wilderness area. With the permission of the parliament, the Mining Act can come into play. In that north-west area, the Iluka sand mine has been underway for a number of years. It is outside the Nullarbor protection zone, but the old shoreline, rich in those mineral sands that Iluka is pursuing as a company, threads its way across the Nullarbor Plain. I suspect that at some point in the future there will mining activity, or at least application for mining activity, in the Nullarbor wilderness area, pursuant to the act. The last reference I would like to make back to the act is under division 3, section 31—Plans of management, which states:

(1) As soon as practicable after the constitution of a wilderness protection area or zone, the Minister must prepare a plan of management in relation to the area or zone.

Once again, I suggest that this is the greatest challenge. It is all very well to prepare a management plan, but implementation and action are the key and the real challenge in all of that. I happen to believe, philosophically, that the days of shut-the-gate preservation of the landscape are indeed over. There may have been a point at one time when we could do that; I do not believe we are that point now.

I think that, as a species, we have had such an impact on the world we live in that shut-the-gate management or walk-away management is simply not an option these days. Active management is the key, not just in wilderness areas but in national parks as well—and I will probably talk more about that on another day—as we are actively involved as humans right across the landscape, for good reason.

It is about adequately resourcing the management and ensuring it is active. As I said, it is a pristine, beautiful and iconic area that is worth preserving. With those few qualifications, I would like to support the amendment bill and look forward to the shadow minister's contribution as well.

The Hon. R.B. SUCH (Fisher) (17:07): I support this bill. As has been pointed out, it has two elements: it has the co-management position and, in a roundabout way, it allows some activities in wilderness areas, provided that they are approved and have gone through the proper process.

In terminology, 'conservation' really means 'wise use of resources', and 'preservation' really means 'do not touch; do not use'. Here, there is obviously a qualification with respect to wilderness. To some extent, it is a paradox in that it is a wilderness area yet people can do certain things in there, including, as the member for Flinders pointed out, resolving the issue of the roadhouse on the Nullarbor.

We can thank some people with foresight on both sides of politics in respect of helping to establish a network of parks in South Australia—mainly conservation parks. You can go back to people like David Brookman and Cecil Hincks, and on the Labor side you have Don Hopgood and others. David Wotton was also a keen supporter of parks, as the minister for environment.

Overall, in South Australia we have not done all that well in conserving flora and fauna. What we have now is somewhat damaged or compromised by weeds and feral animals, and I think it highlights the point made by the member for Flinders that, while we need to preserve these areas, we also need to manage them. That is not simply visiting them every once in a while in a four-wheel drive; you actually have to have a management plan and the resources to manage them, which can involve cool burns and other techniques.

Unfortunately, in recent years this government has really cut the department of environment's budget to a point where a lot of these parks are not being properly maintained. Not only does that cause a problem for neighbouring farmers and graziers, it also eventually allows the park to become degraded. It is certainly not a wilderness area, but Belair National Park is a classic example; it is becoming a park of weeds, and really degraded.

So one of the points I will make right now to the Premier, as Treasurer, is that in the forthcoming budget I think it is time to lay off cutting the department of environment to the point where it cannot adequately manage the reserves we have, whether they be conservation parks, wilderness or whatever. It has got to a point where those areas cannot be adequately and appropriately maintained, and I think the people of South Australia expect the government of the day to ensure that they are properly maintained.

I think this is a good initiative, co-management provisions which will, I guess, in reality, mean working with Aboriginal people. They were able to look after the environment for something like 60,000 years; it would have gone on forever. We need to have some new approaches and also, as I said before, properly resource the management of these areas. I support it as a bill; I think it is a step forward, and I welcome its speedy passage.

Mr PEDERICK (Hammond) (17:11): I too support the Wilderness Protection (Miscellaneous) Amendment Bill 2012, and note that it was tabled by the minister last November. This had to do with the future proclaiming of the Nullarbor Wilderness Protection Area, which I believe will bring the area in South Australia covered under wilderness legislation up to about 1.8 million hectares. There just needed to be some amendments to the old Wilderness Protection Act to bring everything into line, and obviously there was no capacity in the existing legislation to provide for existing leases; for example, the Nullarbor Roadhouse.

I have stopped there several times on trips across to Perth and back, and I must say that the member for Flinders quite accurately described how beautiful the country is around there. You talk to some people about the Nullarbor and going across South Australia and then through Western Australia, and you just think of desert scenes, but it is beautiful country that changes all the time. There are almost 100 miles near Balladonia in Western Australia that is nearly a straight road all the way—it is a straight road for about 90 miles in the old language—and it is great country. I remember taking my wife-to-be over there in, I think, early 1999—

Mr Treloar interjecting:

Mr PEDERICK: I will not respond to interjections.

An honourable member interjecting:

Mr PEDERICK: Pre-honeymoon, yes; that's the one. I was wondering how she would handle the trip, and it surprised me how much Sally enjoyed driving across there and seeing the flora. Thankfully we did not run into too much fauna, although I must say there is plenty of capacity to do that on that road. What this bill does is allow for co-management; working with the local Indigenous people so that native title claims are more easily resolved, and letting them have co-management, as there can be under the national parks act.

There are some things that I am concerned about and, obviously, there will be retention of the existing licences for radio communication towers and the like, and there are plenty of them across there. There is infrastructure for the government radio network and other purposes that will need to be retained and licensed into the future. The only concern that I have with this part of the bill is: what will happen into the future if, for some reason, we need to have more telephone infrastructure or radio infrastructure put in? I wonder if the minister will be able to give us an explanation, or whether we will find out in committee, about whether there is any chance that that is needed.

I am not talking about wholesale changes through the Wilderness Protection Area, I am talking about infrastructure to make communication better across that patch of our great state. Certainly, going across the Nullarbor now, there are areas where you can get mobile phone coverage, and I cannot remember exactly where they are offhand, but I know at Border Village you can get mobile coverage now. I am sure into the future there will be demand for more communication through that area, because years ago it used to be a dusty track, and people had to be fairly brave to cross the Nullarbor 50 or 60 years ago, but now you can basically ride a bike if you are that keen.

Mr Whetstone: No.

Mr PEDERICK: I am not that keen, no, member for Chaffey. I have certainly seen people riding bikes across the Nullarbor.

Mr Whetstone interjecting:

Mr PEDERICK: Yes, exactly. I am concerned about and interested in that, and I believe there is still access for mining, so there is potential for tracks to be opened up, so I would appreciate an explanation of how that would be managed. I appreciate the need to manage this country to pre-European settlement, but I think we also have to be realistic about the demands for technology and the demands that we humans have in furthering the needs of the community. I am not discounting the aims of the bill, and certainly not the aims of the act, but we cannot just have things locked up in perpetuity without having access if we need it, whether it is road access, or whether it is to set up more communication options into the future.

As I said, I note that the roadhouse proprietor has had his area identified and he will be excised and that this bill is consistent with the recommendation from the Wilderness Advisory Committee and has the support of other environmental groups. So, I certainly agree with the legislation but, as I said, I do have some concerns about access, if for reasons of mainly technology there is further access needed, and I will be interested in the minister's response in that regard.

Mr WHETSTONE (Chaffey) (17:18): I, too, rise to speak on the Wilderness Protection (Miscellaneous) Amendment Bill and remember that, back in November, it was the then minister Caica who introduced the bill. It is a beautiful, pristine part of the world, as isolated as it is, and as desolate as it might be. It is one of the hidden wonders of, I guess, a very isolated part of the country, but it does have some fantastic attributes, particularly at certain parts of the life cycle within rain events over there, and it really does expose just what beauty can emerge in that part of the country.

Again, there is some of the most amazing coastline in the world over that way. It really is an area worth preserving. Some of my fears are that it cannot be a park that is to be locked up or a park that is to lock everyone out. Yes, there will be some native title issues along the way. Just on reflection, in my electorate in Chaffey we have the Danggali wilderness protected area and that is a very high-value conservation area.

The member for Hammond has just said that he has the Billiatt Conservation Park which is under the wilderness protection area. Fortunately for me, that conservation park is going to come under Chaffey under the realignment of the boundaries and, much to the member for Hammond's displeasure, I will take that into my boundary. Just to reflect on Danggali: it is about 70 kilometres

north of Renmark and some of the issues that were exposed when that was proclaimed a wilderness protection area were that there were many species, some endangered, that were noted.

However, since that protection area has been put in place they have found other animal species and plant species, so it really shows exactly what can be achieved. Some of those species, particularly in Danggali—which I have visited regularly with a friend of mine who is one of the district rangers up there—we have spotted: the black-eared miner and the Mallee fowl. A Mallee fowl is a truly beautiful native bird.

The Hon. L.R. Breuer: Big holes!

Mr WHETSTONE: Big holes, yes; they are not very nice to hit on a motorbike, particularly at speed—I can vouch for that because I have many Mallee fowl nests at the back of my citrus property at Renmark. They really are a beautiful bird and have a quite unique existence, having a large nest and in the way they disguise it. The regent parrot is one of the most beautiful parrots, I think, in the country. Of course, we cannot forget about the long-eared bat which is one of the endangered species at Danggali and, of course, the little pied bat, his cousin, is another one of those endangered bats.

There are many reptiles and species out there that have been protected. They are having an existence out there uninterrupted by tourists and many people who come out there just looking at the splendour of it, particularly after a great rain event or a great season. Of course we cannot forget some of the plant species that have been protected and nurtured out there, particularly the slender bell-fruit and the black cotton-bush. They are beautiful little native bushes; there are not a lot of native plants that have spectacular splendour in that very arid landscape but those two really do. Of course, we can always talk about cane grass and the mallee but that is truly unique to the region.

Again, that is a wilderness protected area with great attributes. However, in saying that, we have to also remember that this bill will prescribe numerous activities not previously in other acts in this new prescribed area, particularly when talking about tours and filming of the landscape. There has also been mention of sporting competitions like surfing and fishing that will be a part of that landscape. I think that will need to be managed.

Of course, some of the scientific experiments and expeditions that will occur on that landscape I think need to be exposed to find out just exactly what will happen. Another one of the issues that I do have is: do we have a good bushfire management program out there? Are we going to be able to just lock that country away or manage that country? Are we going to have prescribed burning allowed in that protected area?

Again, it really is about this current state government writing in the appropriate guidelines. The people who write that management plan need to get it right because there have been a number of issues with parks that have been locked away, have had padlocks put on gates and the government has simply walked away. The cost of managing these parks is great, but it is all done for the benefit of keeping some of those protected species—plants—and looking after the area.

I did pick up on the member for Flinders telling me that the feral camels are over there breaking down fences and breaking down the dog fence. That is putting pressure on all the parks over there and all the private properties, so again there needs to be feral animal control, not just for camels. Of course, we look at the dogs, and that is why the dog fence is there, but once the camels have gone through the dog fence there is no protection. Of course, all the other feral pests and weeds also need to have a good robust management plan around them.

One thing that I will reflect on that I have been very passionate about in this place over the last three years is that I do not want to see the government do what they have done to the Murray-Darling Basin Authority. We have had the Premier spruiking that he has been the saviour of the river here in South Australia. It is not true, but if he would like to have his day in the sun looking into the mirror that is fine.

The state government has just pulled out a large percentage of their responsible maintenance funding to the Murray-Darling Basin Authority, and we are now seeing fish programs being dropped, we are now seeing restrictions put on access to weirs, and we are seeing restrictions right up and down the basin, right up and down the river, because of states playing tit for tat.

We have seen New South Wales pull some of their funding out of the authority and now, sadly, the Premier has flagged that he is looking after the river, that he has enough water for South

Australia, and yet he has thrown his responsibility with the maintenance program. Every South Australian needs to be watching with caution that every time funding is withdrawn in maintenance on some of these big infrastructure projects there will be a downside to it.

The Premier is not setting a very good example but, again, it is another example of locking the gate and walking away. I do not want to see any of these protection areas mismanaged. Again, we do see a lot of the departments having their funding reduced, and in some cases having their funding withdrawn, and normally some of these parks, unless they have a voice, will be overrun by the weeds. They will be overrun by feral animals and pests. They will be overrun by the mismanagement that we have seen over many years.

Again, we must have the right management plan in place and we must see the right people administering these protection areas. One thing I would like to throw into the works is that, if the government and its departments are not going to be able to manage these areas effectively, will there be neighbouring towns or neighbouring communities that might have some of that funding put to them so that they can actually manage these areas?

It has been proven time and time again that government departments are poor managers of parks when they are under-resourced. When funding is reduced, taken away, continually they have to cut corners, they have to lock up areas and not go to them. They scratch their heads in disbelief that they have had their funding pulled and do not have the resources effectively to manage these areas. I support the amendment bill, but with caution that the government upholds its responsibility and provides the resources not only to administer a protection area but also effectively to manage it.

We will watch. I have seen what has that happened at Dangali, and I think it has been managed reasonably well. We have issues with prescribed burns and with bushfire management plans, but that can be overcome with the government taking responsibility and showing responsible action under this amendment bill. In closing, I welcome the Wilderness Protection (Miscellaneous) Amendment Bill and hope that the government will show some responsible action in managing it in a much more responsible way than it has other areas in the past.

The Hon. L.R. BREUER (Giles) (17:31): I am very pleased to support this legislation. The area is very well known to me—I have travelled in that area very many times. I was interested to hear the member for Flinders say that it is basically his electorate. I challenge him on that—I think we might share it fifty-fifty. I will not fight him over it as there are not that many constituents out there to fight over.

Members interjecting:

The Hon. L.R. BREUER: I had it all at one stage, but it is certainly very much part of the Giles and Flinders electorates. It is incredible country out there, almost untouched in most areas. I am very passionate about that area and love to travel out there. One of the issues is the Yellabinna forest. That area extends along the coastline and some of it is bare. There is hardly anything there at all, apart from a few bushes. There is also an incredible mallee area.

I actually got lost in that area once coming back from that very remote part of the country. My driver would argue that we were lost—he would just say that we misplaced the road. We did not have much fuel left, and we had to get somewhere to get fuel. We took a short cut, but the short cut unfortunately turned out to be a long cut. We drove around for quite some time. My driver is usually very mild mannered, but he ended up hitting the windscreen because he was so cross about where we were going. I started to panic because I thought that if we got trapped in there we would be trapped for days because nobody would be coming through.

We turned back and retraced where we went and found the exit and got out, and then found that most of the time we were probably only about 200 metres from the highway, but we did not know because the vegetation was so thick. I often have nightmares about that. If we had set off an EPIRB because we were lost in the bush, and the helicopter came along and picked us up and we were 200 metres from the road, I am sure it would have made the newspapers that the local member got lost 200 metres from the Eyre Highway.

I have also heard a couple of stories about the Nullarbor Roadhouse. Somebody said that they went there and he was the cook, not the chef. I went there one day and the person who served us when we went in to pay for the petrol then took our order for our lunch or dinner, booked us in the hotel, cooked the dinner and then came out and served it to us. They do not have a lot of staff out in those places for various reasons.

As for bike riders, there are tourists who go through there and it worries me. We met one young fellow one day riding on his pushbike on the road from the highway up to Cook, a very rough road. When we asked him whether he had water he said that there were lots of lakes on the map and that he would get water from the lakes, not understanding that they were claypans and not lakes and that there was no water in them. It is a very isolated area.

It is important that the local Indigenous people, mainly called the spinifex people, and a number of other groups—the Anangu are there and others—have an opportunity to help manage it. It is really important because they still have a very strong culture in that area and still speak the language. They still have business that goes on through that area. For them, it is very important that they have some say in what is happening in their area. It is important that we do maintain that and look after them in that area.

I am very passionate about this area, as I said. There are all sorts of feral animals there, yes, and we need to be careful about them. I hope—and certainly would urge the government when this goes through—that we do provide the resources (I echo the member for Chaffey on that) to maintain and manage the area, including the number of rangers that are able to work there, because sometimes they are a bit light on. If you want to keep a place in pristine condition then you have to make sure that it is maintained. I am very comfortable about this legislation; I am very happy to support it and I hope that it will go through.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (17:35): I rise to speak on the Wilderness Protection (Miscellaneous) Amendment Bill 2012, and I am delighted to speak on this bill as the shadow minister for environment, water and natural resources. I might not be tomorrow morning, but I am very pleased to still be the shadow minister, and I have very much enjoyed the few months of representation on the opposition's behalf. I compliment the member for Flinders, who is acting on our behalf as the spokesperson and lead speaker on this matter, and applaud his passionate interest in wilderness protection.

The three important reforms of amendment in this bill are largely to introduce a co-management with the Indigenous communities structure that currently operates in our national parks. As indicated, we have no objection to that. The second reform is to recognise and respect existing leases over property, to facilitate their continued occupation and application. The third is to introduce into the act from the regulations the offences that one might commit in breach of the act if they were to undertake certain activities: namely, take a group on a sightseeing tour; film it for any commercial purpose; conduct any tour for a fee or reward; conduct any surfing, fishing or other kind of competition; sell or hire goods; etc. As I understand it, these are all existing activities that are prohibited unless there has been a licence granted by the director of the Department of Environment (now CEO), and they attract a penalty.

I think the penalties are significantly increasing, but it is important to note that in our legislation we already have the most severe penalties for a person who undertakes primary production or who attempts to crop or put stock into a property, or to interrupt the landscape by constructing or erecting any roads and the like. That is in current section 26. There is a strict prohibition on those two activities. Primary production and interruption by construction or erection of any roads or tracks and the like is absolutely prohibited. Indeed, it attracts a fine of some \$20,000 or up to four years' imprisonment.

What that tells us, under the current act, is that there is a very clear intention in respect of wilderness areas that there be a focus on the preservation of wildlife and ecosystems and, very specifically, the restoration of any land and its ecosystems to a pre-European settlement state. Essentially, other than for the management of the land by minimising the feral vermin, exotic animals, bushfire management and the like, really the only things that the wilderness areas will be interrupted by would be scientific research and, in certain areas which are the preserve of the Aboriginal people, by hunting and entry for the purposes of observing Aboriginal tradition.

It is very clear that the wilderness areas of South Australia have a very different charter. They are there to preserve. The act identifies a group or a board which has a specific purpose of identifying, for the benefit of all South Australians, what areas are of significant value, and to be able to put those recommendations to the government, the minister in particular, to identify that, approve it for the purpose of being a wilderness area, and then secure it for the benefit of the objectives that are outlined in the legislation.

I want to say that that is in direct contrast sometimes to the origin, purpose and application of our parks and reserves. Shortly in the parliament we anticipate debating very significant

amendments to the National Parks and Wildlife Act, which is the principal act responsible for the supervision, management and protection of those types of areas of reserve. I mention that because there is undoubtedly an intention by the government in the review of that legislation we are going to be dealing with to commercialise parks and reserves. That, of course, not surprisingly, has attracted much angst for general members of the public, many of whom have served, until they were all dismissed shortly before Christmas, on consultative committees to the minister in respect of parks.

I am one of probably many South Australians who have ancestors here who have worked, donated, and contributed to the development of national parks in this state. Often, that has involved, not just from my family but from many families in South Australia, the bequeathing of assets and funds to develop and protect national parks and reserves in this state. It has a history independent of government, when we had the parks commissions; it is now all under the government. It does concern me that the very valuable advice that repeated governments have had from members of our community on these consultative committees has all been dismissed by this government, or at least by minister Caica. The new minister, the Hon. Ian Hunter, may or may not resurrect them, but I would almost lay London to a brick that that will not happen.

I am concerned about that, and I am particularly concerned about why the government is suddenly bringing in this legislation. I should acknowledge and say that I am very pleased to have had the benefit of advice from Mr Jason Irving on two occasions in a briefing on this bill. He is the Manager Protected Areas Policy and Planning in the Department of Environment, Water and Natural Resources (I hope have given him his respectful title). He was most helpful in relation to the machinery, operations and development of this bill, and I appreciate that. However, the government is moving this bill.

I suggest to the house that one of the principal reasons for doing what is tacked right on at the end of the bill, in nearly the semi-last sentence of the penultimate paragraph, is reference to the fact that the income from parks is going to transfer from one body to another. You get it—of course it is going to go to the department. I see this bill really as a preliminary to what we are about to receive, which is the legislation of parks and reserves. That is going to cause some haemorrhage, I can tell you, in the general community. I think this is a preliminary for that.

Why do I say that? Firstly, because part of the legislation in increasing the fines, and the need then to consider bringing it from regulation to act, frankly does not need to have a bill. That is really just window-dressing in my view, other than to provide a greater income producing purpose. We argue all the time to have things in the statute and not in regulation. Suddenly, the government are ready to line up here and make this their first clause and amendment, to bring it into the bill. That is not the reason.

The second is that, when we look at the Nullarbor area, which we wanted to do, we realised that we did not have co-management structures with the Aboriginal people. Does that matter legislatively? We have not had it all the way through. We have a truckload of areas of wilderness park in this state, and we do not have co-management agreements with those, and it is always open for our minister to have that structure and have that agreement with Indigenous people, which we strongly support, in any event. So, that cannot be a reason why they have had to come in with this bill now to amend this legislation.

The real reason is that they are gearing up for a major reform, a major commercialisation, of parks and reserves in this state, and this is an opportunity for the government to present to those who have a great interest in the environment. The member for Port Adelaide is one; she has come from a history in this area in her professional life prior to her coming into this parliament. Many of us, in difference ways, have had a history in this area of interest and commitment.

What is being presented by the government is, 'Aren't we fantastic? We're going to allocate another 900,000 square kilometres.' It is a hell of a big area; I think it is bigger than Victoria. As has been pointed out, it is in the electorates of the member for Flinders and the member for Giles. What are we getting for that? We are going to get the government out there with a big fanfare of 'Aren't we fantastic? Aren't we brilliant?'

I just want to remind members that this area is already a national park. This is not having a new fence around it. This has had no further allocation of money to it. Not one jot has been allocated in the budget or Mid-Year Budget Review to say, 'We're going to upgrade the status of the protection of this area, and we are not going to do one thing extra to provide for it. Not

anything.' So, it is a 'lock up, throw away the key' routine, and it has very little provision for it at the moment.

I am, frankly, sick of the government coming out, doing a great big press conference, saying, 'Aren't we fabulous? We're going to give you some fabulous new status. We're going to call it a sanctuary or a wilderness area,' and then make no provision whatsoever for what it is to do. I just want to remind the parliament that the second objective of the 1992 act was to positively proactively restore ecosystems and wilderness to pre-European settlement status. You cannot do that by walking over it or taking a picture or flying over it or going out and doing a press conference with the Prime Minister. You have to actually do something about it.

I have not been in this region, but I am told that it is fairly denuded of vegetation. I expect that there are some significant ecosystems out there, otherwise it would not be applying for this and being recognised in this way. Clearly, it has had tracks traversing over, it has had people who have entered it and who have historically undertaken some primary industry on it, and these things need to be fixed up. You cannot just put a fence around something or, in marine parks, draw a line in the ocean, and then just think, 'Stuff it; now it can look after itself.' That is not acceptable.

So, I think the parliament needs to say to the government, 'If you are serious about these things, we will support you in it, but you also have to apply it. Don't try to pretend that you're going to do something and then not do the second very important aspect of this legislation.' I do not want to see a bill that just brings in massive new camping fees or fees to obtain a licence to take a photograph of a bird or a fee to be able to traverse or to take a University of Adelaide group through it. That is not acceptable to me. They have to do something about it.

I will conclude by saying, as the member for Finniss is not here right as we speak—I am sure that he is listening somewhere—that he represents an area of South Australia that is part of where I was born on Kangaroo Island, just next to property my family still own; in fact, I am first life of it now. We have the Western River Wilderness Area. It is a pristine part of Kangaroo Island. But nearly 50-odd per cent of the island is national parks, reserves or wilderness areas, and the residents of Kangaroo Island and those who have the pleasure of living on it have a great deal of pride that these areas are provided for. That one, in particular, I mention because it is the one I am most familiar with, apart from the national parks otherwise on the island.

We have had a goat problem on Kangaroo Island; a number of regions in South Australia have had that. There have been Judas goat programs which were originally from New Zealand. In fact, I saw a program in operation in the Galapagos Islands where it seemed to be taken to a more extended application. On one island 100,000 goats had been eradicated in the 12 months prior to my having travelled there. It is a very effective program.

It is important because goats are identified as an introduced species which cause damage to the soil, particularly through erosion, and vegetation. It is important that we work on these things. It has been a never-ending battle during my lifetime to be able to ensure that we properly deal with management of pests, introduced species and where we have excessive numbers of abundant native species.

I am pleased that when I recently spoke to someone in the NRM, who has now relocated to serve in the arid lands of South Australia, she told me that all but a few goats now have been eradicated. Well done to those who are doing that and who are actually undertaking that work and making sure that we properly preserve the environments that they are in.

Wilderness protection areas have a higher status, if I can say that, above parks and reserves, and so the government must, if it is serious about being recognised and applauded for undertaking this area of responsibility, not just draw up something, lock it up and throw away the key but actually invest in it to ensure that it is preserved for future generations.

Mr VAN HOLST PELLEKAAN (Stuart) (17:51): It is always a challenge to follow the member for Bragg because she manages to include so much information and cover so many points in the time that she has on her feet. It is important for me to say a few words on behalf of the people of Stuart about the Wilderness Protection (Miscellaneous) Amendment Bill. While I understand that it is 900,000 square kilometres in the electorates of Giles and Flinders, this is actually a really important statewide issue and there is an enormous amount of country under a whole range of different land tenure agreements for which this transition may be very important to the electorate of Stuart down the track.

I start by pointing out that this is a national park already. It is changing to another land use. It is changing to technically a higher level of land use and it just cannot be done without resources. I would like to say very clearly that I worry about tightening the rules, making things tougher, potentially for very good reason but trying to apply stricter conditions to land use without allowing additional resources for that to happen because otherwise it will be a disaster.

As the member for Flinders (our lead speaker) has said and the member for Bragg (our deputy leader) has also said, you cannot just shut the gate and leave it alone and expect it to be okay. I have to say that I feel very deeply for people who work for Department of Environment, Water and Natural Resources for the pressure that they are under because they do not have the resources to do the job that is expected of them in many instances already. Now this is going to make the job that is expected of them even tougher.

I say that with great sympathy for them but I also say it with a great deal of frustration and anger on behalf of the landowners that I represent who very often are their neighbours, and there are a lot of rules. A lot of them are very good rules applied to land across our whole state with regard to expectations for weed and pest management and a range of other things where the rules are applied to the taxpayer owned government managed land under various different categories. They are also applied to the privately owned privately managed land. Technically they are applied to both but in practicality they are not applied equally to both.

It happens very regularly where landowners are told, 'You need to get rid of some weeds', and for all the right reasons. If you cannot do it, or you do not do it, you do not have the time or the resources, or you do not consider it a priority, or any other reason, you will be told, 'We will get a contractor to come and do it and we will send you the bill.' However, at the same time, for exactly the same issue for exactly the same weed in exactly the same district, that rule is applied technically to the national park, the conservation reserve or, potentially, the wilderness protection area, but if they do not have the resources, time, people or staff to do it then it just gets done later, it just gets done when they can get to it, and it very often does not get done.

I think that is a really unfair imposition on our private landowners. It is not an excuse for them. I am not trying to get them off the hook and I am not trying to say that these rules should not apply to them, they should apply equally to everybody, as they do technically, but in practice they do not apply to everybody equally because private landowners will get the contractor sent to get the job done and receive the bill, but on taxpayer-owned government-managed land they will do it when they can. That is not a criticism of the people who work in that area because they are doing the best they can. The reality is that they very often do not have the resources they need to do that job. I seek leave to continue my remarks.

Leave granted; debate adjourned.

SPENT CONVICTIONS (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

At 17:57 the house adjourned until Tuesday 19 February 2013 at 11:00.