

HOUSE OF ASSEMBLY

Tuesday 5 March 2013

The **SPEAKER (Hon. M.J. Atkinson)** took the chair at 11:00 and read prayers.

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

STATUTES AMENDMENT AND REPEAL (TAFE SA CONSEQUENTIAL PROVISIONS) BILL

The **Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (11:02)**: I move:

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

Motion carried.

FUTURE SUBMARINE PROJECT

The **Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (11:03)**: I move:

That this house—

- (a) recognises the state's strong commitment to defence, as a key economic driver for South Australia;
- (b) notes that the federal Labor government has committed itself to the Australian build of the Future Submarine project;
- (c) recognises the federal Labor government's commitment to South Australia as the home of the nation's Future Submarine project, including through establishment of the Land Based Test Site at Techport Australia and the Future Submarine Systems Centre in Adelaide;
- (d) notes that the federal Liberal/National Party Coalition is yet to commit to an Australian build for the Future Submarine project; calls on the federal Liberal/National Party Coalition to rule out acquiring or leasing ready-made fleet submarines which would result in the loss of thousands of South Australian jobs overseas and the demise of South Australia's Defence Industry capabilities; and
- (e) calls on the federal Liberal/National Party Coalition, as a matter of urgency before the upcoming September federal election, to commit to building Australia's future submarines at the world-class Techport Australia facility.

I rise today to move this important motion for the future of South Australia's economy and the jobs of South Australian workers. There is no responsibility for any government as serious as securing the national defence of Australia. It is the paramount concern of the commonwealth government regardless of its political persuasion or the individual men and women who make up its leadership. The decisions that it makes about our defence must be, first and foremost, based on what is necessary in order to ensure that Australia remains a strong, free, independent nation able to protect its own national interests in a dynamic global environment.

The commonwealth government must decide what capabilities are required in order to keep Australia safe. It is for them to decide whether our national defence requires a new land vehicle, a particular piece of combat equipment or, indeed, a new submarine. We respect that these decisions are not made by the South Australian government or by any state or territory government; they are made by the commonwealth government in Canberra.

The commonwealth government has, however, made it very clear why it believes that a submarine capability is essential. The Hon. Jason Clare MP, the former minister for defence materiel, described it succinctly last November:

Australia is an island. Our geography—the vast territorial sea that surrounds us—is our best defensive asset. Any country that seeks to attack us has to cross the sea. Submarines make that very difficult.

Submarines are like underwater snipers. Once they dive they are very difficult to detect and very deadly. They do more than this, but it is their most important role. Finding them requires an enormous amount of resources. This makes submarines a very real deterrent to any country thinking about harming us. That's why we need submarines.

Once the decision is made about what capabilities are required, the view of the South Australian government—as it has been under previous governments—is that wherever the Australian defence industry can deliver these capabilities effectively that we should back Australian industry to get the job done.

South Australia has a long history of maritime and naval shipbuilding. During World War II, the young steelmaking town of Whyalla was transformed by a shipyard. BHP delivered the first corvette, the HMAS *Whyalla*, in May 1941. Construction continued after the war until the shipyard closed in the late 1970s. Soon after the Whyalla shipyards closed, the commonwealth government began considering the construction of a new class of submarines. At that time, the then Labor government, led by the Hon. John Bannon MP, began work on convincing the commonwealth government to build the new submarines in Australia.

A history of the construction of the Collins class submarines, *The Collins Class Submarine Story* by Peter Yule and Derek Woolmer, documents how the Bannon government wrote a paper in 1984 which demonstrated that any additional cost for constructing the Collins class submarines in Australia would be more than offset by increased tax receipts which would be received by the commonwealth and would have a positive effect on the broader economy. Once a decision was made to build the submarines in Australia, Bannon's and the government's case moved on to ensuring that the submarines were built in Osborne.

Looking at the history, it is interesting that two of our state's competitive advantages from that time remain today. One of the key reasons South Australia was chosen was because our state had avoided the level of industrial disputation which was common in New South Wales and Victoria, still an important advantage now. The other factor which convinced the federal government was the professional advocacy of a taskforce led by Mr Jim Duncan and we are now lucky to have Defence SA under the leadership of Mr Andrew Fletcher and the wise counsel of its advisory board chaired by retired General Peter Cosgrove AC.

The impact of initiatives led by the South Australian government to secure defence projects has remained absolutely vital. As members of this place would be aware, the government's investment of more than \$300 million to build Techport Australia was a key factor in securing the \$8 billion air warfare destroyer contract for South Australia. The existing infrastructure at Techport will be an important part of the Future Submarine project.

The six Collins class submarines will begin to reach the end of their nominal 30 year lives in the mid to late 2020s. The process of planning the construction of the submarines which will replace the Collins class has begun. The build of 12 new submarines is the largest manufacturing project ever undertaken in Australia. It would stand as one of the largest single procurements by the commonwealth government, at least the same size as the National Broadband Network and larger than the construction of the Snowy Mountains scheme.

The commitment by the Gillard Labor government to assemble submarines in South Australia secures one of the most significant parts of our advanced manufacturing industry for decades to come. This project will deliver a remarkable level of economic benefit to South Australia and, indeed, the nation. One example of the benefits can be seen in the ANZAC ship project, which was undertaken in the 1990s. An analysis of that project by industry analyst Denise Ironfield found that it helped create more than 7,500 full-time equivalent jobs among 1,300 Australian and New Zealand suppliers. Access to technology from overseas led to greater innovation in Australian companies and created skills and capabilities which helped them win other opportunities in Australia.

More limited analysis of the Collins class program found similar results, with a report by the Senate Foreign Affairs, Defence and Trade Committee finding that there were profound benefits for Australian industry flowing from the Collins program. It found that when the project began there were only 35 companies certified to the quality levels necessary for defence work, but by 1998 that there were 1,500 as a result of the submarine project, the ANZAC frigate project and other projects. The Senate report found that of the \$5.1 billion cost of the original Collins program, \$4 billion was spent in Australia and the project supported 7,500 jobs. Given the vastly greater scale of the Future Submarine project it can only be reasoned that the economic impact of the subs project would be even greater today.

More recently, South Australians are benefiting from the economic boost of the construction of the \$8 billion air warfare destroyers at Techport Australia. More than 1,500 workers in South Australia are employed building these world-class ships and 2,600 nationwide. For

workers in Adelaide this impact is not theoretical. It means having a fulfilling job with interesting opportunities right here in your chosen industry. It is about exactly what those opposite claim to care about so much: creating jobs here in Adelaide rather than seeing them move offshore.

The economic benefits do not end at Osborne. The broader impact of the project is seen in every cash register of every shop in Port Adelaide, by every home builder in Mawson Lakes and by every cafe in Semaphore. The long-term benefit to our state's economy extends beyond the injection of cash. As the analysis of the ANZAC frigate and the Collins class projects found, the opportunities to create the capabilities for businesses in the advanced manufacturing sector are significant. I have seen this for myself when I travelled up to Osmoflo, which is a company in the mining services sector. They spoke of the fact that their high-end tradespeople were drawn from the defence sector.

So, what we are seeing is this continuum, we are seeing the car industry, the defence sector and other areas of the mining services sector, as the skills and capabilities grow and emerge and transmute as other opportunities arise. If we can create similar sorts of opportunities for South Australian businesses to grow their capacity as a result of the Future Submarine project as they did under the Collins class project, we could go some way to achieving the goal of the advanced manufacturing future that we have set for ourselves.

Last month, the commonwealth government announced that it would establish the Adelaide Defence Precinct as part of the government's innovation and industry statement. The new precinct will help secure these opportunities for South Australian businesses, as well as businesses nationally, by driving productivity, improving connections between business and the research sector and mobilising Australian industry to compete more successfully in global markets. Initiatives like the new precinct will help ensure that we realise these broader benefits. These are the sorts of initiatives that we are taking as a state government.

We are sending the clearest possible message, with strong strategic policy, but with public investment, so that private companies can know that they will achieve a return in the future because they can see the long-term commitment of their government. This is something that those opposite, I think, have a bit of trouble with and are struggling to understand: the central role of government in the economy. They are allergic to the role of government in the economy. But it is a central issue, especially in a small economy, for creating the circumstances for growth. The reality is that the Gillard government is now taking the necessary steps to move forward with the build of the new submarines. Just before the 2012-13 budget—

Members interjecting:

The Hon. J.W. WEATHERILL: Don't be blinded by your hatred of Julia Gillard and put your state second. Don't be blinded by your hatred of Julia Gillard. Just before the 2012-13 budget, the government announced that the commonwealth government would provide \$214 million for the next stage of the Future Submarine project. The reality of projects of this size is that they inherently are incredibly complex and involve a significant amount of risk.

As was seen with the Collins class, the failure to plan early for maintenance and sustainment of a continually changing procurement strategy are clear factors which increase the risk of blowouts in terms of cost and time. The investment of the commonwealth government is targeted at ensuring the government can deliver the submarine project in Australia with a minimum of risk. It ensures that we learn from the missteps that were made during the Collins program and that we prevent them from happening again.

One of the most important steps towards de-risking this project is the construction of the Land Based Test Site for testing submarine systems, including propulsion, energy and integration technology. As the Minister for Defence the Hon. Stephen Smith described in his announcement of the Land Based Test Site, the creation of the facility:

will significantly reduce the risk of delay and cost overruns, poor availability and increased operating and sustainment costs, loss of capability and most importantly, the risk of catastrophic accident caused by the failure of power and energy systems.

In December, the commonwealth government announced that the Land Based Test Site, along with the Future Submarines Systems Centre, would be based in Adelaide. These are incredibly important steps to ensure that this is indeed the home of the construction of the Future Submarines project at Techport.

The next set of decisions that need to be made by the commonwealth relate to the precise sort of submarine which will be delivered in order to meet the needs. There are four broad options for the construction of submarines which are being considered by the commonwealth government, and they are described by them as this:

- an existing submarine design available off-the-shelf, modified only to meet Australian regulatory requirements;
- an existing off-the-shelf design modified to incorporate Australia's specific requirements, including in relation to combat systems and weapons;
- an evolved design that enhances the capabilities of the existing off-the-shelf designs, including the Collins Class; and
- an entirely new developmental submarine.

The Gillard government has ruled out buying nuclear submarines. Nuclear submarines would be a devastating outcome for local industry, because its inevitable consequence is not only the lack of construction offshore but the maintenance and sustainment would be undertaken in another country.

Clearly, of the remaining options, some are better for our state than others. It would deliver the best outcome for South Australia if as much of the design occurred in Australia as possible. At every stage, our government will be an advocate for this outcome. But what is guaranteed in each of the options is that, in every single one of these options being considered by the Gillard government, the assembly will be at Osborne at Techport by Australian workers.

The world 'assembly' does not do justice to what in fact occurs when you put together a vessel of this size and complexity. It is like constructing a small city. Each of the elements of the hull have extraordinary amounts of sophistication in the way in which they are put together. The work is very high-end work. It will create thousands of jobs even in the case that involves the least amount of design work done within this state.

On the other hand, what we see from the federal Liberals is that the option of importing the submarines from a foreign country is firmly on the table. Last year, we had Senator David Johnston, the federal Coalition's spokesperson on defence, say on *Lateline* on 28 March 2012:

If the Coalition was to think that it's more cost-effective and a better capability to acquire a ready-made solution, we would certainly be interested in that.

In May last year, the federal Coalition Treasury spokesperson the Hon. Joe Hockey, told the ABC's *AM* program that:

Now either that's \$200 million that is going to be wasted or else the government is going to have a proper analysis of whether there are alternatives to having these submarines manufactured in Australia.

An article by Ben Packham in *The Australian* on the same day revealed that there were even South Australian Liberals willing to speculate about submarines not being built in Australia, with the member for Mayo, Jamie Briggs, described as backing Mr Hockey's assessment. This is the same Mr Briggs that said that we should not be supporting Holden, as well, so he does have form in this regard.

While the ongoing speculation that these reckless remarks are causing is unhelpful to local industry, the impact that these words would have on government policy would be catastrophic. Buying submarines from foreign countries would devastate ASC and hundreds of local suppliers and hack into our naval industry. It would destroy a capability that this nation has invested in over two decades and one that would take decades to redevelop, if it were ever possible at all. It would stunt our state's advanced manufacturing future and hurt our ability to compete for defence projects in the future.

Despite these disastrous risks, we know what Tony Abbott fundamentally thinks about it and we have heard the remarks. Remember the leak that came out of the caucus there—'Don't worry about a gigalitre of water here or a dollar of subsidy there' (which was a clear reference to the River Murray and also to Holden's). What he was really saying—because people were getting nervous at that time about whether they were going to win—the coded message to the caucus was, 'We can win this without South Australia; don't worry about it; just relax.' That was the message he sent to his party room, and we should be chilled by that message: that he would be prepared to cut South Australia adrift should he become prime minister.

The clear choice for South Australians is between a Gillard government, which has guaranteed that future submarines will be built in Adelaide, and an opposition without a guarantee—

Mr Venning: You've got to be kidding.

The Hon. J.W. WEATHERILL: Well it is. It is a clear guarantee and they have backed it up—

Mr Marshall: A guarantee?

The Hon. J.W. WEATHERILL: It is a guarantee, and they have backed it up with three critically important decisions. They are only analysing four options and they are all about building them here. They are building a land-based testing system here and they are building the design centre here. They are actually backing up their commitments with actions and with dollars. All you have to do to remove any doubt at all is to persuade your federal colleagues to actually back the Gillard government's proposition. That is all you have to do. Stop being so blinded by your hatred for the federal Labor Party that you cannot see what is in the interests of your own state.

This is the problem, this has been consistently the problem with those opposite: they cannot see through the red haze of their own hatred to understand the clear imperative about what is in South Australia's best interests. It is one of the reasons why you cannot get yourself together to actually run a proper party over there, because you are animated by personal hatreds.

Members interjecting:

The Hon. J.W. WEATHERILL: You are animated by personal hatreds; it is in your DNA.

Ms Chapman: Point of order.

The Hon. C.C. Fox interjecting:

The SPEAKER: The Premier will be seated. The member for Bragg, the deputy leader is about to make a point of order but, before she does so, I call the Minister for Transport Services to order. Deputy leader.

Ms CHAPMAN: The Premier is continuing to address his remarks to you, as he should, but he is being critical of you in your incapacity to be able to control anything, so I ask that he be called to order.

The SPEAKER: Yes, the deputy leader is right; all remarks should be through me. I have a perfect understanding of those things the Premier is raising. I think he means to say the parliamentary Liberal Party does not have an understanding of those things.

The Hon. J.W. WEATHERILL: I do, indeed, sir, and all of my previous remarks should be taken as a reference to those opposite. They simply need to just pause for a moment, to reflect for one moment on the importance of backing this motion, and do more than that. They should not do it the way they backed the Holden's and the River Murray motions, where they spoke against them and then cravenly did not bother to vote against them because they did not want the criticism.

We want the opposition to not only support this resolution, but give voice to their support by actively lobbying Tony Abbott and the federal Coalition to ensure that they match the federal Labor Party's commitment in relation to this matter. That is what would be in the state's interests. That is precisely what any opposition actually interested in the state's interests would do, rather than advance some petty political interest it may have in wanting to embarrass, damage or ridicule the federal Labor Party in government. So I ask the opposition to put the state ahead of party and back this resolution and, more importantly, back it with action.

Mr MARSHALL (Norwood—Leader of the Opposition) (11:23): I move to amend the motion as follows:

Delete all the words after 'as a key economic driver for South Australia'

When the Premier came to his job in October 2011, he said he wanted to focus on the substance of the issues and deal with policy outcomes instead of political point scoring. Instead, he today brings this motion—little more than a political stunt—before this parliament. This motion is an attempt by a state premier to do a favour for a struggling federal Labor prime minister and to distract from a federal Labor government in crisis. Instead of seeking a bipartisan effort to secure outcomes for the local defence industry, by moving this motion the Premier is seeking to sling mud and misinformation across the chamber for political points.

The only political approach that will work for the development of defence industries in South Australia is one of bipartisanship and mutual support for our industry. If we seek to divide by unnecessarily politicising the issues, we will only hurt the South Australian industry. Some parts of the motion are worthy of merit. I welcome on behalf of the opposition that part of this motion which recognises the state's strong commitment to defence and to the submarine project SEA 1000 as a key economic driver for South Australia.

I also welcome the point made in the motion that federal governments of all political colours need to commit themselves to a build of the future submarines which is based here in Australia. I would in fact go further to argue that as much as possible of the design and construction of the future submarines needs to occur here in South Australia, a point missing in part 2 of the Premier's motion. Those parts of the motion which seek to politically attack—

Mr Hamilton-Smith: He didn't even include it in the motion.

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

Mr MARSHALL: —the federal Coalition from an insubstantial foundation and which seek to argue that the Gillard federal Labor government is somehow more supportive of naval shipbuilding in South Australia than is the federal opposition will be seen by the public precisely for what they are: professional politicians playing politics rather than looking for real outcomes for South Australia. For that reason, the opposition will be opposing the motion in its current form; it is partisan and diminishes the esteem in which this house is held. Today's motion is not a genuine effort to improve the state's standing in attracting defence investment and advancing the Future Submarines project.

What a shame it is, Mr Speaker, that the Premier did not bring forward something which recognises that we all need to work together here in South Australia, regardless of which party is in government federally, to optimise the outcomes for defence investment here in South Australia. Instead we have a motion which constitutes an attempted political attack and which will do nothing to advance the Future Submarines project or optimise the amount of work and investment that is attracted to South Australia.

The unfortunate partisan nature of the motion has given the house an opportunity to put the spotlight on the federal government's performance both on the submarine project and on defence investment more broadly. In debating the motion, the Premier has surely kicked an own goal by highlighting the considerable failures of the Gillard Labor government to get behind South Australia. This state must have a steady and sustainable pipeline of defence projects, particularly in shipbuilding and capital works investments. Without that deal flow and continuity of work, the South Australian defence industry faces considerable pressure to retain its skilled workforce, investment and infrastructure.

Let there be no doubt in anyone's mind about the unreserved and unequivocal commitment of the state Liberals to defence and to South Australia as the home of future naval shipbuilding and, in particular, as the construction base for the forthcoming fleet of 12 submarines promised by the federal Labor Party when former prime minister Kevin Rudd was in charge. That is the point, Mr Speaker. The current Prime Minister, Ms Gillard, has backed away from her predecessor's position on defence spending, investment and submarines, and this has delivered much uncertainty to the defence industries here in South Australia. In late 2007, the Rudd-led federal Labor opposition promised that in government Labor would:

...build a new generation of submarines in Adelaide. The submarines will be built by ASC at its Port Adelaide site and the aim will be to have the work commenced before the last Air Warfare Destroyer is completed—

'before the last Air Warfare Destroyer is completed'—

It is expected that the construction of the first new submarine would commence around 2017, near the time that work on the Air Warfare Destroyer project will be tapering off.

These statements by Kevin Rudd proposed that the submarines be built entirely in Adelaide. He said, 'The submarines will be built by ASC at its Port Adelaide site.' One can only assume—

Mr Hamilton-Smith: Bring back Kevin.

Mr MARSHALL: Yes, exactly. One can only presume that Kevin Rudd's position was that 100 per cent of the work would come to Adelaide; work that has been estimated by the Australian Strategic Policy Institute to be as high as \$36 billion and which former premier Mike Rann claimed during the last state election campaign was as high as \$40 billion. Of course, under Kevin Rudd

and Mike Rann, Labor told South Australians that we had won the \$8 billion air warfare destroyer project, suggesting that all investment would flow to South Australia. We found out later that little over \$1 billion of that work was being spent in South Australia, with the remainder being written in cheques to Spain and other states for the construction of blocks and components elsewhere.

Kevin Rudd and Mike Rann also proffered a fourth air warfare destroyer. It has not happened. Labor's failure to deliver a fourth air warfare destroyer project has been bitterly disappointing and places even more importance on the Future Submarines project to sustain the local defence industry. This is because of the need for continuity of work to cover the gap between the air warfare destroyer project and the Future Submarines project.

We are now more than halfway through the 10 year lead-in time for this important project, and there is very little certainty for our local industry on the development of this crucial project. In recognising defence industries as a critical economic driver for the South Australian economy, we note 2017 as a crucial date in the sustainment of that industry here in South Australia. As workflow emanating from the air warfare destroyer project tapers off in 2017, the industry will be hit with what it refers to as a 'valley of death', losing its highly skilled workforce, unless the Future Submarines project is in the pipeline and ready to go.

This is a capability gap that the federal Coalition has committed itself to avoiding. After nearly two terms of Labor government there has been no final decision, and instead the industry will have to wait until after the federal election on 14 September. Labor has abandoned its responsibility, continually delaying and deferring a decision.

Let us focus in more directly on Labor's promises under former prime minister Kevin Rudd. By the time of the May 2009 Defence White Paper, Kevin Rudd's late 2007 pre-election promise to build the submarines completely in South Australia was dumped. Instead of being wholly constructed in Adelaide, Labor now said that the new submarines would only be assembled here in South Australia. So Labor was beginning its retreat from its promise to the people of South Australia as early as May 2009.

Just like the highly vaunted air warfare destroyer project—which, as I mentioned a moment ago, has delivered a little over \$1 billion to South Australia from the \$8 billion total investment—the South Australian component of the Future Submarines project will now likely be limited to the final assembly. Blocks or substructures of the submarines may well be built elsewhere, as is now common practice in shipbuilding around the world. Labor's 2009 white paper said about the submarines at the time, 'For this project to succeed, we need to engage with a number of overseas partners during the design and development phase.' In particular, the government intended to continue the very close level of Australian/US collaboration in undersea warfare capability.

On 21 January 2010 soon-to-be axed prime minister Rudd reaffirmed that, 'As Prime Minister of Australia I confirm in absolutely clear cut terms that our next generation of subs will be built here in Adelaide', again spinning the line to the media and the public that 100 per cent of the work would come to South Australia, while Labor's own defence white paper argued that work needed to be pushed overseas in the design and development phases.

Was Kevin Rudd, along with former premier Mike Rann, his factional ally and friend, once again over-spruiking and overselling the federal Labor government's commitment? Perhaps the mixed messages reflected an effort by Rudd to paper over early divisions within his cabinet on the submarines project. There were very few South Australian ministers around the Labor cabinet table. Was he losing ground in the debate, just as he was losing the confidence of the then deputy prime minister and the factional heavies?

The political execution of Kevin Rudd in the months that followed, led by the current Prime Minister, put an end to his vision for naval shipbuilding here in South Australia, because since then Julia Gillard, along with her factional ally and political friend Premier Weatherill, the mover of this motion, have been paddling backwards at a rapid rate of knots.

Since Prime Minister Gillard's anointment by the faceless men of Labor, defence spending and Labor's commitment to shipbuilding in South Australia have been torpedoed and are sinking like a stone. The May 2012-13 commonwealth budget saw defence spending cut to historic low levels. Without a whimper from the current Premier of this state, the defence state, Prime Minister Gillard and Treasurer Wayne Swan stripped a total of \$5.45 billion over the forward estimates through to 2015-16. Most importantly, capital investment and the defence capability planned cuts total \$4.2 billion of the \$5.45 billion worth of cuts.

Where has the state Labor Party been during the debasing of defence investment by their political comrades in Canberra? Instead of grandstanding and speculating in state parliament about the federal opposition, based on misinformation, why did the Premier not put pressure on the government of the day to stop them stripping billions of dollars worth of opportunities for this state? Julia Gillard has been tearing up the Rudd vision on defence. Before his election in November 2007, in a policy document, Labor's Plan for Defence, Rudd said:

Labor is committed to maintaining defence spending, including a minimum annual 3 per cent real growth until 2016, and is committed to ensuring that Defence dollars are spent more effectively and efficiently.

Well, Prime Minister Gillard has done precisely the opposite: defence spending has been cut by 10.5 per cent in this current financial year, according to the Australian Strategic Policy Institute. This is the largest annual reduction since the end of the Korean War in 1953. Under Labor, as a share of GDP Australia's defence spending will fall to 1.56 per cent—the lowest since 1938, with further falls to come.

In making such savage cuts, and in a vain effort to deliver their now broken promise of reaching surpluses in 2012-13 and beyond, the Gillard Labor government has left Australia's defence and defence industries exposed and vulnerable. Dr Mark Thompson of the Australian Strategic Policy Institute said in May 2012:

Plans to put in place the so-called force 2030 are in tatters. The 2009 defence white paper is dead.

On 21 July 2012, Professor Andrew Davies of the Australian Strategic Policy Institute described the cuts as 'very simply budgetary'. These cuts only add further pressure on industry sustainability and Australian capabilities. In May, Professor Alan Dupont, of the University of New South Wales, passed judgement on Labor's performance on the submarine project, stating:

...it's touch and go whether we will have any subs to deploy because there's...so much delay in the process.

Continually we see the federal Labor government backing away from the Rudd vision. On 3 May 2012, days before the horror 2012-13 budget was handed down, Prime Minister Gillard sought to obfuscate the looming cuts of the defence budget to historic lows. The Prime Minister watered down her previous public comments by telling the people on that day:

...we are heading towards those new submarines being assembled right here in South Australia.

The original 2007 commitment to a full build in South Australia was first watered down to the assembly in South Australia. Without batting an eyelid, the Prime Minister further downgraded her commitment saying they were simply heading 'towards an assembly' in South Australia. With the Premier by her side, and a stroke of the pen, the Rudd reality of a full commercial build of the Future Submarine project in South Australia was, five years later, little more than another vague aspiration from Labor.

Adding further confusion to Labor's position on naval shipbuilding, in 2012 former defence minister and now government whip, Joel Fitzgibbon, expressed his regret at not considering the nuclear option for the Future Submarine project. Experts agree that such an option would see the leasing of submarines from the United States, with very limited opportunities for local design and construction input. It might very well write the Australian industry out of the project almost completely.

This undisciplined revelation by Fitzgibbon further demonstrates Labor's lack of competence and unwillingness to provide certainty to the Australian defence industry. No wonder that Labor has continually deferred the decision as the Prime Minister faces pressure from within caucus to completely dump the South Australian component of the Future Submarine project, a move publicly argued by the former defence minister.

Since Kevin Rudd's pre-election promise in 2007, Labor has only continued to delay and defer crucial investment in the Future Submarine project. The ASC, who built the Collins class submarines, have been forced to delay phase 1A, which was to be completed in 2010-11, and phase 1B (preliminary design) was to be completed in 2012-13. Phase 1C's detailed design is uncertain at best. Another fresh study announced in December to further examine the submarine project has only caused further delays.

I notice that the Premier's motion asks that the house 'notes that the Federal Labor government has committed itself to the Australian build of the Future Submarine project'. As

recently as December, the defence minister, Stephen Smith, stated, as he has done on repeated occasions:

We continue to exhaustively assess all of the options—all of the options are an off-the-shelf submarine, an off-the-shelf submarine modified, a derivative of the Collins or a brand new design.

On 10 February, the federal defence minister, Stephen Smith, again reiterated that the nuclear option is the only option that is not on the table.

That leaves a lot of options on the table for the Gillard-led Labor government to come back after the election in September and decide that a South Australian build is not necessary. The next question is: when will a decision be made by the federal Labor government? We have had over five years of backflips and deferrals. When will Prime Minister Gillard and defence minister, Stephen Smith, commit to this project at all?

The Labor government's defence white paper 2013 is due in the first half of this year. This will be the most important statement from the commonwealth on its defence industry, and very much of our focus here in South Australia will hinge on the determinations and priorities in this paper. It will be a departure from the more ambitious and higher-spending white paper produced by former prime minister Kevin Rudd in 2009.

However, federal defence minister, Stephen Smith, has indicated that the commonwealth is only aiming a final decision on the Future Submarines project in late 2013 or early 2014. Federal Labor is proposing a new defence white paper with one of the key contingencies—the design, modelling and construction of the Future Submarines project—completely left out. Given Labor's long-established track record of delaying and deferring decision-making on the Future Submarines project, who knows when such a decision could actually be made?

In summary, the mover has brought this motion to the house with, in my opinion, only a political motive and a political objective in mind. The motion before the house does absolutely nothing for the future of the South Australian defence industry. As I have explained, we must all work tirelessly with our colleagues in Canberra of whatever political persuasion to advance the submarines project and to optimise defence investment and capital works here in South Australia.

It is a challenge that requires hard work, bipartisanship and sound arguments, well argued and thoroughly supported. I have explained that former prime minister Kevin Rudd understood the importance of this project. That is why his defence white paper on this issue was clear and strong. Rudd followed the sound positioning of defence established by the Howard government. Mike Rann stood beside him and, with firm resolve on all these projects, said that these submarines would be built here in South Australia. It is a case of the Rudd-Rann team getting it right and the Gillard-Weatherill team getting it wrong and failing the defence industries in South Australia.

If the federal Labor government had any intention of ensuring the construction of the Future Submarines project at Techport, they could unmistakably and publicly commit to the project today by selecting a design and putting the money on the table. The federal Labor government has had more than five years to do so, and now they seek to further defer the decision until after the September election. They have taken it from a definite commitment to assemble, to working towards assembling, to a deferred decision until after the next federal election. Labor's financial mismanagement at both the federal and state levels has moved the goalposts and moved the project into complete and utter disarray.

The opposition will not be supporting this motion in its current form, because it is not a genuine motion. It is a failed attempt at wedge politics and a poorly conceived effort at that. What the Premier needs to do is always act and speak in the best interests of the people of South Australia including, in this case, the many people whose jobs depend on the defence industries. We need to work together on defence and not play politics on it; it is just too important.

The state Liberals and the federal Coalition want to see 12 submarines built in South Australia with an optimum involvement by South Australian industry. We understand that there will be a need to share the work across the country, as is the case with the air warfare destroyer and with all projects, but we want to optimise South Australia's involvement and participation. Rather than bringing this motion to the house, what the Premier and his team should be doing is going to Canberra and taking this view to his colleagues and friends in the commonwealth government.

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) (11:44): There is one political party at a federal level that is committed to the Australian

build of the future submarines, and that political party is the Australian Labor Party. We are very proud of the fact—

Members interjecting:

The SPEAKER: Would the Minister for Defence Industries be seated? The Leader of the Opposition is called to order and the deputy leader is warned for the first time. These warnings carry over into question time.

The Hon. J.J. SNELLING: There is one political party which has equivocated on the issue of the building of a future submarine here in South Australia, and that is the federal Liberal Party. That does not surprise me. It does not surprise me that Mr Abbott has no concern about jobs here in South Australia. What does surprise me is what we see this morning, and that is the tepid support from the South Australian Liberal Party for this important project—this project that is going to transform the South Australian economy. They are not even prepared to support a motion calling upon their federal colleagues to support an Australian build.

There is one person in Australia who casts a shadow over the Future Submarine project, and that is Tony Abbott, and here we see a state Liberal Party that is not prepared to advance an argument to Mr Abbott and their federal colleagues that the submarine should be built in South Australia—that South Australia should have an advanced manufacturing industry, that South Australia should have a large share of what will be a \$36 billion project.

If the federal Liberal Party decided for a military off-the-shelf option, purchase a submarine from overseas or, heaven forbid, lease nuclear submarines from the United States, what would be the position of the state Liberal Party? They would go quietly and see the South Australian economy go quietly into the night. A completely gutless display from the Leader of the Opposition. I would have thought—

Mr MARSHALL: On a point of order, Mr Speaker: I am not sure whether the minister should be referring to me as a 'gutless leader'. I think that is unparliamentary, sir.

The SPEAKER: I do not think it is unparliamentary, but has the Leader of the Opposition taken offence and does he—

Mr MARSHALL: Unequivocally, sir.

The SPEAKER: The leader regards the words as offensive.

The Hon. J.J. SNELLING: In deference to the finer feelings of the Leader of the Opposition, sir, I am happy to withdraw the word 'gutless'.

The SPEAKER: Thank you, Minister for Defence Industries; you have the call.

The Hon. J.J. SNELLING: Submarines are essential to Australia's defence. They provide Australia with a new and more potent defence capability, with a greater range and longer patrol endurance. They are a formidable deterrent through their strike capability. They protect our fleets and sea lanes; they offer intelligence, surveillance and reconnaissance collection. It is vital that we get our submarine capability right because the consequences are enormous in both a tactical and an economic sense.

South Australia has been focused on building up its defence industry since 2003. If you combine the Department of Defence and the specialist industry, the defence sector employs close to 27,000 people, directly and indirectly, and there has been an 18 per cent increase in the number of people employed over the last four years. The industry earned \$1.8 billion in defence-related revenue in 2010-11, which represents a 50 per cent increase since 2007-08.

The defence industry is a major component of the state's advanced manufacturing sector, employing highly-trained people in a wide range of specialist areas, including naval shipbuilding, maritime surveillance, aircraft support, joint strike fighter components, electronic warfare and systems integration. Over 60 per cent of workers in these areas were employed in professional or managerial roles, highlighting the high-tech, highly-skilled nature of the industry.

We were delighted to learn in May 2012 that the federal Labor government had committed to building 12 new submarines here, a project worth up to \$36 billion. I am sure that the house can recognise why South Australia is the obvious choice. We pride ourselves on being the defence state. Over the last 10 years, this government has sought to attract defence industries to this region, and it has worked collaboratively with business to win contracts.

South Australia is responsible for about 25 per cent of Australia's total defence procurement spend. We are currently investing in the necessary skills and infrastructure. Our commitment is mirrored by the many South Australian-based firms, such as ASC, Saab Systems, Pacific Marine Batteries, Babcock, BAE, Lockheed Martin, Raytheon, Ultra Electronics, Nova Group and MacTaggart Scott and hundreds of SMEs. This industry provides thousands of local jobs and has generated major capital investment in the Techport Australia naval shipbuilding precinct over the last five years.

Techport Australia is undoubtedly the best place for future submarines to be built. It is home to the nation's largest concentration of specialised shipbuilding design, engineering and production expertise. Some 2,000 highly skilled workers are located on site and dozens of highly capable subcontractors and component suppliers are located close by. Techport is an exemplar precinct for advanced manufacturing. Modular ship production and systems integration techniques are being employed on the \$8 billion air warfare destroyer build project and the Collins class submarines are being efficiently sustained by ASC.

AWD is the single largest and most complex defence project ever undertaken in Australia. The Air Warfare Destroyer Alliance—that is ASC, Raytheon Australia and the Australian government—is responsible for delivering three air warfare destroyers to the Royal Australian Navy. The AWDs will provide a significant increase in the Navy's air warfare capabilities through their antisubmarine and antisurface warfare capabilities, as well as the ability to embark a helicopter at sea.

The alliance is working with Navantia as the chosen platform system designer. The alliance is also working alongside the US Navy and Lockheed Martin Corporation to deliver the world-class Aegis Combat System, which is capable of detecting and defeating multiple hostile aircraft and missiles at ranges in excess of 150 kilometres. There are about 1,400 people directly working on the AWD project in South Australia and a total of 2,300 across Australia. The AWD project is in full production phase, running from 2009 to 2016.

The ships are comprised of 31 modules, with overall distribution of work across four locations: Forgacs, in New South Wales, making 44 blocks; the Australian Submarine Corporation, here at Techport, 25 blocks; BAE Systems, in Victoria, 11 blocks; and Navantia, in Spain, 13 blocks. Blocks are delivered to the Australian Submarine Corporation at Techport Australia for fabrication and assembly.

Consolidation of the first ship (HMAS *Hobart*) commenced on 6 September last year and will be delivered in March 2016. HMAS *Brisbane* and HMAS *Sydney* will be delivered in September 2017 and March 2019 respectively. Over peak construction years, the project will make an average contribution of some \$292 million to our economy and provide 1,783 jobs, both direct and indirect, for South Australians.

Late last year, the federal government announced its decision to construct a land-based test site and the Future Submarine Systems Centre here in Adelaide. The submarine land-based test site will test submarine systems, including propulsion, energy and integration technology, for application in the Future Submarine project and maintenance of the Collins class fleet.

We are delighted with the commonwealth's decision to base the land-based test site in Adelaide. The government has, for a number of years, presented a compelling case for the test site to be based here and, in January 2012, I went to Canberra to personally lobby relevant defence leaders to have the facility here in South Australia.

The systems centre will be the home of the future submarine program. It will be formally established this year and, over the next few years, will expand to include hundreds of defence personnel from the Navy, the Defence Materiel Organisation, the Defence Science and Technology Organisation and the Australian and international defence industry. The systems centre staff are already working here in Adelaide and are temporarily based at ASC.

Building the submarines will be transformational to South Australia. It will create thousands of jobs through the initial life of construction and sustain thousands of jobs over the 30-year life of the submarines. In deciding to build here, the federal government will ensure that we maintain a technological edge. This is the best guarantee of our long-term security. The opposition has a clear choice and the new leader—

Mr Gardner: Sit him down.

The Hon. J.J. SNELLING: —has a chance to show some leadership. Are they Liberals first or South Australians?

The SPEAKER: I call the member for Morialta to order, because he may have noticed I allowed the leader to run over time to complete his remarks and members of the government did not roar at me, 'Sit him down.' So, I would ask the member for Morialta's forbearance, and I call him to order. The Member for Waite.

Mr HAMILTON-SMITH (Waite) (11:54): Thank you, Mr Speaker. Rarely does an opposition—

The Hon. J.W. WEATHERILL: Point of order.

The SPEAKER: I am sorry, member for Waite; there is a point of order from the Premier.

The Hon. J.W. WEATHERILL: I apologise for that, you were in full flight. It is a point of order just for clarification. I thought it was the practice—I do not know whether it is consistent with standing orders—that when a member is concluding a sentence usually there is an indulgence to allow you to complete that sentence when the time begins to come to an end.

The SPEAKER: Yes, that is indeed the practice; the Premier is correct. The member for Waite.

Mr HAMILTON-SMITH: Rarely does an opposition receive a gift like this motion from a premier. There are no media here today and I noticed when the Premier began there was one frontbencher and I think three, perhaps four, backbenchers present. I wonder why the government has not gone out and fanned this issue up. I will tell you why and that is because it is one of the biggest blunders a premier has made in living memory. Bringing in a motion like this, when his Labor colleagues have cut \$5.5 billion out of defence, is something that the house will remember for some time.

In moving this motion himself, the Premier has highlighted the continual failure of the Labor government to provide any sense of certainty, not only about the future submarines, but about defence spending more broadly. What we have learnt from today's debate, if anything, is that Labor cannot be trusted to deliver on the future submarines. The yawning chasm between Labor's rhetoric and the delivery is a constant. As we have heard today, there has only been one direction with this project under federal Labor and that is backwards. As it is written, the motion fails on several counts. Let me just draw that out because what the Premier has done with his brilliant act of moving this motion is spotlighted four key issues.

Firstly, he has given us an opportunity to talk about the Rudd-Gillard issue because when Kevin Rudd was prime minister he had a much stronger positioning on the submarines. He said they were all going to be built right here, lock, stock and barrel, 100 per cent. His commitment was unequivocal, his commitment was firm, but Julia Gillard came along. I know the former premier, Mr Rann, the former member for Ramsay, was with Kevin, but I know the current Premier is with the current Prime Minister, Ms Gillard. The first team was a lot better for defence in South Australia than the second lot. The second string have really let defence down. So we are happy to talk about how good Kevin Rudd was for defence in South Australia and Mr Rann, and how bad Julia Gillard and her mate, the current Premier, are on defence—nowhere near the first team.

Secondly, in moving this motion the Premier has highlighted the poor shape of defence industries under his leadership compared to his predecessor because, since there has been a change of premier, things have gone backwards. Now there are a lot of reasons for that, but it has presented unique challenges to the current Premier and we are going to talk about that.

Thirdly, what the Premier has done is demonstrate his complete lack of influence in Canberra with his colleagues. Mike Rann went to the last election saying, 'Who can get a better deal from Kevin Rudd, the Liberals or me? It will be me,' and he went to see Kevin Rudd and he was going to give us 100 submarines, and what has happened here, what the Premier has done, is shown that his influence in Canberra can be written on the back of your little fingernail with room to spare, that is how much pull he has got in Canberra.

But the fourth thing that the Premier has done with his brilliant motion is that he has upset his own commitment made when he first became premier, to require high standards of meaningful civil discourse, because this is nothing but a politically contrived jab at the federal Coalition which has as its goal nothing but political mischief and nothing at all of substance. Today's motion is nothing more than a transparent partisan swipe.

There are 26,000 people whose jobs depend on this debate. There are over 1,400 directly employed in the Air Warfare Destroyer Project alone. They are going to read the *Hansard*, because I can tell you that we are going to send it to as many of them as we can. This is one of the dumbest motions, I think, a premier has ever brought forward. If there has ever been an own goal this is it. Now I want to talk about the \$5.5 billion you and your mates—he and his mates have cut from defence spending. Excuse me, Mr Speaker, I don't mean you, of course—

The SPEAKER: Thank you.

Mr HAMILTON-SMITH: —I mean the honourable the Premier.

The SPEAKER: I have cut nothing.

Mr HAMILTON-SMITH: I know you wouldn't have done it, Mr Speaker. If you had been the Premier you would have a lot of influence in Canberra I have no doubt. No-one benefits from this sort of motion; no-one benefits at all. After five years of Labor we have very little to show for it. I want to talk about what a great job Kevin Rudd did when he was the prime minister because he was unequivocal. This is what he said:

The submarines will be built by ASC at its Port Adelaide site and the aim will be to have the work commence before the last Air Warfare Destroyer is completed.

Bring back Kevin, he was so much better than Julia. She has been an absolute disaster, particularly for the submarine project and defence. That's what Kevin Rudd promised; that's not what Julia is promising—no, no, no. The bloody coup saw an end to that. Let me just run through it: within a year of her prime ministership, within one year, she cut \$1.1 billion from major defence projects. Out went Air 5402, a \$256 million helicopter program; Air 9000, the MRH, \$56 million; Air 87 ARH, \$17 million; JP 2008 Phase 4, \$70 million; Air 5077, the AEW&C, \$61 million; Sea 4000, \$55 million gone; and 25 minor projects also gone.

I have a news report here—and I know I cannot refer to it, so I will just make an oblique reference to it—about the \$5.5 billion that *The Australian* (that fine publication) observed was to be cut under Julia Gillard from the budget. The defence capability plan loses \$1.65 billion.

The SPEAKER: Member for Waite, I think you can quote publications in our media in debate; it is just that you cannot ask in question time whether they are true or not.

Mr HAMILTON-SMITH: In that case you have inspired me to go on even further, Mr Speaker.

The SPEAKER: I'm pleased.

Mr HAMILTON-SMITH: *The Australian* then observes that the major capital investment program (\$1.3 billion of cuts) major capital facilities, \$1.2 billion—I mean, it just goes on and on and on. Labor is delivering absolute and utter ruin. But Julia came along after Kevin—after she had knifed him in the back, after she had torpedoed him, after she had strangled him, thrown his remains over the side and buried him at sea—who had promised the submarines and she said, with this premier at her side, 'I've got a big announcement about the submarines.' This is what she said:

...we are heading towards those new submarines—

you know, the ones Kevin Rudd used to talk about—

being assembled right here in South Australia.

She is 'heading towards'. She was heading towards leading a government without a carbon tax. She has been heading towards so many things that have not happened it is not funny, and now she is 'heading towards' assembling the subs. Come on!

This is a ridiculous motion. I am stunned that the Premier accepted advice to move it, probably from the Minister for Defence Industries. His staff should have intervened and stopped this motion from being put. It is an embarrassment to the mover. It should not have been put before the house. All it has done is make a mockery of the federal Labor government.

Can I say that with friends like the mover of this motion, Julia Gillard does not need enemies—let me tell you. Just keep this up, could you, all the way through to September. Let's have a few more. It is a very serious issue, and I would ask the Premier to lift his gaze. The real issue here is not just about the 12 submarines, important though they are and determined as we are as a Liberal Party to see them built.

The real issue is that over the next 30 years there will be a quarter of a trillion dollars spent on naval shipping, according to Kevin Rudd (we are not sure about Gillard), and Defence SA has made that point. We need to look at the entire package. We need to get it right with shipbuilding, we need to work in a bipartisan way together, we need to build more than 12 submarines, and we need to be rolling out a ship at ASC into the water every year for the next 30 years.

I say to you, Mr Speaker, that if the Premier came in here and moved a meaningful motion that called for bipartisan support for a grand vision for naval shipbuilding in South Australia he would have nothing but support from us. But to allow himself to come in here and try to score petty political points with utter mischief and nonsense and embarrass Julia Gillard and his Labor colleagues and make a fool of himself, really, it is just embarrassing.

The Hon. T.R. KENYON (Newland—Minister for Manufacturing, Innovation and Trade, Minister for Small Business) (12:05): The member for Waite just outlined that he would like to send the *Hansard* of this debate to workers and employees at the ASC. I hope he does because what they will see is an opposition not prepared to stand up to a federal opposition. It is not even a federal government. The opposition is not prepared to stand up to a federal opposition leader in their own party, afraid of upsetting the apple cart somehow. His job and his relationships with the federal opposition leader are more important than the jobs at the ASC—and that is what taking the *Hansard* down there will show. I hope that they do it because it is a ridiculous attitude when the members on that side of the house cannot bring themselves—

Mr Marshall interjecting:

The SPEAKER: Minister, would you be seated. It is my melancholy duty to warn the leader for the first time. Minister for Manufacturing.

The Hon. T.R. KENYON: It is a very sad day when the Leader of the Opposition and those on that side of the house are not prepared to put the state and the jobs of thousands of employees in South Australia ahead of a relationship with the federal opposition. That is a very sad state of affairs in this state.

It is not important what Kevin Rudd said; what is important is what Tony Abbott will not say—he will not commit to building the boats and the submarines in South Australia. That is what is important—what Tony Abbott will not say. You can go back and you can talk about Kevin Rudd all you like, and we can discuss it until the cows come home, but what is important here is what Tony Abbott will not say; that is, he will build the submarines in South Australia—unlike the federal government, who will build submarines in South Australia.

We know it is going to happen, and we know there are going to be submarines and they are going to be built here in South Australia, and Tony Abbott cannot even bring himself to commit to that. This opposition is even worse when they cannot even take on Tony Abbott and try to get that commitment out of him. They refuse because their relationship is more important than jobs, and their relationship is more important than a whole industry. Their failure to take on their federal colleagues is an absolute disgrace.

We all know the benefits of the industry here, and we all know the benefits of the submarines here: it is a chance to build on and expand our manufacturing base and get into advanced manufacturing—and they will not do it. They will not take on their federal colleagues to assist in the growing of that manufacturing base—they will not do it. They are high paying jobs, but they do not care. It is more important to be friends with Tony Abbott than to get high paying jobs for South Australian workers.

They are high skilled jobs, and they do not care. It is more important to have a relationship with Tony Abbott than it is to have high skilled jobs in this state. What the workers down at ASC need to see is that somehow the state opposition on that side of the house believes that their little sectional interest is more important than the economy in this state, that it is more important than advanced manufacturing in this state, and that it is more important than jobs and high paying jobs in this state.

There is a lot of work that needs to go on around defence, and we are working our way through that, as you would know. It is not just a matter of building things; there are a whole lot of things behind it, such as skills. We are particularly pleased with our efforts relating to skills in the industry-led South Australian Defence Industry Workforce Action Plan; the Science and Technology Mathematics Strategy; the Skills for All initiative, making skills training more affordable with better access, skills that will be important when we build those submarines here in South

Australia at some point; and the 133 defence-related honours scholarships, getting engineering and naval architecture going and all those things that are important in the whole cross-section of skills.

There is the Maritime Skills Centre, a designated maritime high school at Le Fevre High School, and other workforce development initiatives specifically related to the air warfare destroyer program. This government has set out, from a very early point in its history, to bring the defence industries into South Australia, and has been successful at doing so to the point where 30 per cent of the defence workforce in Australia is located here in South Australia. What that needs is a commitment from the opposition, not the amendment of motions. What it needs is a commitment to take on all comers in the interest of workers in this state, and that includes Tony Abbott.

The opposition has to take on Tony Abbott to get a commitment to build them in South Australia, not because it is the right thing to do politically but because it is the right thing to do for the state. That is what we do not see on that side: the right thing by the state. We see a lot of Liberal Party sectional interests, and we see a lot of relationship repair and maintenance, but we do not see a party interested in taking on the federal opposition for the good of the state.

Mrs VLAHOS (Taylor) (12:10): Today I would like to speak more calmly on the facts about how this affects my electorate in the northern suburbs around Taylor, and I am rising to support the motion. The Future Submarine project and its continued development in South Australia is the biggest show in town and the most important, and it is a sorry day when we cannot have bipartisan support for a motion that supports the development of this—

Mr Marshall interjecting:

Mrs VLAHOS: No, I am not supporting what the Leader of the Opposition is saying: I am saying it is a sorry state of affairs when both major political parties cannot put the nation's interest, and South Australia's interests—the members of the federal opposition are not defending their state's interests—at the heart of this matter.

We all know the value this program adds to our defence capability, as it is a great range: longer-term patrol endurance and increased capability compared to the Collins class submarines that we have had in the past. The members who have spoken before me, including the Premier, have outlined the benefits of this Future Submarine project to the nation's defence capability, and especially the intellectual property base our nation's advanced manufacturing sectors are developing and will grow from these areas.

Together with the increased defence capability of the nation, the program allows South Australia to take the lead in the development of skills and training—something that I need in my electorate, and that the people in my electorate are demanding—together with the protection of our intellectual property base and technological advantage. As previously mentioned, these areas are important for advanced manufacturing, as well as for our maritime ship-building capabilities and the electronic systems that will support these subs in the future.

South Australia has a strong foundation for submarine and shipyard expertise and infrastructure. This program provides yet another opportunity for this nation-building program and investment in our future in this sector. Participation in the Future Submarines program, which is potentially the largest and most complex project in the nation, is not an option: it is a necessity.

Just as the \$8 billion air warfare destroyer project had a transformational impact on the South Australian economy and employed almost a thousand skilled South Australians, so too can this Future Submarine program. These benefits place South Australia at the forefront of the commonwealth defence structure and industry and ensures that the people of South Australia, particularly my people in Taylor, are provided with the vital opportunities they need to participate in work-life balance and a national initiative.

These opportunities truly resonate with the working families in my electorate—those for whom the prospect of an Adelaide-based defence industry means even more benefit for the wider economy and their community. These opportunities mean vital employment and training opportunities for them and their children—children who we want to go into the defence industries, like the young woman apprentice at the AWD keel laying who was working at the AWD alongside her father, an experienced tradesman. The high-skilled, high-paid jobs that these areas provide are important for our state's future; not just economically but socially, with social capital.

For over a year, I have had the opportunity to serve as Parliamentary Secretary to the Premier and I have directly assisted with the state's defence industry. It is an area that I am

passionate about. Together with the Minister for Defence Industries (Hon. Jack Snelling), I have also been able to build on the state's reputation as the 'defence state', and have continued a long and valuable dialogue with those in the defence industry both nationally and internationally.

From SMEs machining parts for those projects to the programmers providing code to the high-tech equipment that protects our servicemen and women and the sovereignty of our nation and that of our neighbours, we all know how important subs are and why they matter. Yet, the federal opposition MPs prevaricate, dithering and abandoning their state's interests, and it is a shame.

For the hard work of the minister and their staff I have seen direct benefits of our state defence industries on the ground in Taylor and in the north, from the RAAF base and the battalion at Edinburgh, to the facilities at Techport. Despite all the global issues of financial pressures that many economies face, there is still an optimism and enthusiasm for the potential of Adelaide and South Australia as a national defence hub; both nationally and internationally all these people are serious about doing business in our state. We need to communicate to them that we want this project on a national scale, with both sides of government, and the Liberal opposition is not doing that at a federal level and it is a shame.

There is still defence industry confidence, quite rightly, in the reputation of Techport as the country's pre-eminent centre for submarine construction and modification, as well as the repair and full-life maintenance of these projects. Indeed, it is true to say that in the Southern Hemisphere it is a unique facility. Thanks to the commitment of the current federal and state governments, we remain the uncontested home of future submarine projects, and I want to see both parties federally adopt that approach.

There is still the defence industry confidence in subsequent providers and companies supplying our naval programs, as centres of technological advantage and advanced manufacturing for a whole-of-life cycle through this project. Indeed, the member for Waite mentioned the lifetime commitment this will mean for 30 or 35 years, and it is a valid point. However, this progress is put at risk by the federal opposition, which will not commit to South Australia, and a state Opposition which will not condemn them for it.

This is a long-term program with long-term benefits for the people of our state and my electorate. Australia, a small nation when we speak in defence terms, has always been able to control and manage such complex industrial and technological initiatives, and we are a better nation for it. Unlike those opposite, the government and I will continue to fight for the long-term benefits of our state and my community of Taylor in this area. As the opposition will continue, no doubt, to instil doubt and negativity in the South Australian economy, I will stand here and say that am proud to speak in support of this motion for my people in the north and their children.

Dr CLOSE (Port Adelaide) (12:17): I rise today to speak about the enormous benefit that the creation of a robust and sustainable shipbuilding industry could offer the communities of Port Adelaide, the Lefevre Peninsula and surrounding areas. I imagine that all in this chamber are familiar with the long and proud maritime history of the port. The shipbuilding industry was an early cornerstone of the local economy, providing jobs and revenue to the people and businesses of the port.

Henley Fletcher's Shipwrights' Yard flourished in the latter half of the 19th century, first repairing ships and later building them. After Mr Fletcher's death in 1912, the Adelaide Steamship Company, and later its subsidiary, Adelaide Ship Construction Limited, operated on the site. In 1973 the site fell into disuse. Of course it was not much more than a decade later that the Australian Submarine Corporation won the contract to build the Collins class submarines and the ASC facility was established at Osborne. The Collins class submarines are still maintained on site by the ASC.

The Techport Australia precinct is now Australia's premier naval industry hub, a world-class facility assembling the new fleet of Hobart class air warfare destroyers. This \$8 billion project is the largest defence contract in Australia. Some 2,000 workers are employed at Techport. Of course not all these workers live locally in the Port Adelaide electorate, but a significant number do. The magnitude and excellence of the precinct means that its presence looms very high in the Port Adelaide community, in both economic and social terms.

In fact, the maritime culture is so much a part of the port's economic and social life that in 2011 the Maritime High School was established within the Le Fevre High School. This program offers a range of study pathways in the field of maritime engineering and, in addition to excellent

academic courses, it offers students an impressive array of hands-on work experience in our local maritime industry.

From its early days to the present day, the maritime and shipbuilding industries have been deeply embedded in the culture of the Port Adelaide community. The port certainly has a proven history of success in shipbuilding, as do several other parts of our state. As Ronald Parsons wrote in his 1986 book *Southern Passages: a Maritime History of South Australia*:

Shipbuilding in South Australia has been a stop-go industry, with periods of progress interrupted by spells of stagnation.

Our government believes that this should not and need not remain the case. There is an opportunity now to secure a stronger and more consistent future for naval shipbuilding in South Australia. The \$36 billion Future Submarine project will soon reach the first stage of first-pass approval. The commonwealth's decision to house the Land Based Test Site and the Future Submarine Systems Centre in Adelaide will generate economic benefits for South Australia for many years to come.

However, there are still decisions to be made around the delivery of the Future Submarine project. These decisions are presently in front of the federal government, and they will ultimately be crucial decisions for the future of the shipbuilding industry in South Australia—and for retaining the attendant skills and capabilities that our state has worked hard to develop. If we are able to capture the opportunities of the Future Submarine project for South Australia, if we are able to retain the skills and capabilities that we now possess and expand upon them, then we will distinguish ourselves as a globally prominent centre for naval shipbuilding, and further opportunities for our state will follow.

The decisions in front of the commonwealth are not just decisions around a single defence project but the choice to underpin the growth of a whole new industry in high-tech, high-value naval shipbuilding, in a community where the maritime spirit runs very deep, from our past to our present. Shipbuilding is an ancient craft—nearly as old as humanity itself—and, in its various forms, it has always required highly specialised skills. This is true now more than ever before with the advent of highly advanced modern defence technologies. Once we have developed the skills and capabilities in our workforce to deliver the AWDs, it is crucial that we secure future opportunities in order to retain them.

For the community of Port Adelaide, this is not only an economic imperative but a social one as well. What I want for the port is not only a sustainable and prosperous economic future but also sustainable first-rate industries of which the Port Adelaide community and its workers can feel deeply proud. I want skilled and meaningful jobs for our local workforce. I want to secure a long-term future for these jobs in order to sustain the families in our community who rely on them, and to retain these skills in our local workforce. I want all of this to be realised, not only in stop-and-go bursts, as Ronald Parsons described, but in a sustained way over the long term.

The Future Submarine Project is important to all of South Australia for our shared economic future, but nowhere is it more important than in and around the port. I call upon the commonwealth government and the federal opposition to recognise and honour the proud history of Port Adelaide, as well as the high-level skills and capabilities that our state's workforce now possesses, by choosing Adelaide as the home for all possible work on the future submarines.

Mr SIBBONS (Mitchell) (12:22): I rise in support of the Premier's motion. As we all know, it is very important for our state's economic future that we maintain and grow a diverse range of industries within the state, and it is under this Labor government that we have seen a strong commitment to developing a vibrant, high-tech, high-skilled defence industry precinct in Techport Australia. The announcement late last year that Adelaide would be the site of the multimillion dollar Land Based Test Site for the Future Submarine project was an important step in this state's growing defence technology capabilities.

At this site, a range of testing for submarine systems, including propulsion, energy and drivetrain technologies, will be undertaken. By undertaking such testing at Techport, the technical issues surrounding maintenance of the Collins class should be minimised and the risk of delay and cost pressures with the eventual building of the 12 new submarines will be mitigated by the virtual groundwork.

As I understand it, independent reports have estimated that the cost of the new 12 submarines themselves is about \$36 billion. This is one of the most significant technical projects

ever undertaken by the defence force and, when the full project goes ahead, it will be the biggest government procurement project in the nation's history. This follows from the \$8 billion air warfare destroyer project. The first of these vessels, the *Hobart*, is under construction in the member for Port Adelaide's seat, and I understand about 800 people are currently employed on the project. The longevity of these defence projects will benefit South Australia for years to come, providing vital job and economic opportunities for our state.

The future submarine program will run over the next 30 years. That is three decades of commitment from the Gillard government for the future of Techport, the South Australian economy and, most importantly, the workers and their families. This is a long-term project, not one that exists for the life of a government. This commitment demonstrates a commitment to this state for years to come, not just until the next election. The establishment of the test site at Techport will help to ensure that we will not see a brain drain in the gap between the air warfare destroyer project and the future submarines. The submarines will follow from the test site which will follow from the air warfare destroyer project, providing a continuity of work in the Techport precinct.

Our government believes in supporting a range of industries. We believe in supporting South Australians and the South Australian economy, but the fact that the federal Coalition will not commit to South Australia in this program is telling. There has been a concern that Tony Abbott's Liberals do not care about South Australia, and that comes down to simple politicking. There are not enough seats in South Australia to bother caring about us. So, while the Gillard government is willing to look at what is best for the project—and that is building the subs and doing the testing here in South Australia—the Liberal-National Coalition stays silent.

Is it that they do not want this trading card off the table? At the moment we can play a guessing game based on their silence. Is it that they do not support the project, they do not support South Australia, they are yet to make up their mind because the polls are yet to tell them what it is they are meant to think, what to say or what to do? Instead, they make vague comments couched in cost-saving rhetoric. They will not commit to building the submarines here; in fact, they will not commit to building them in Australia.

I find it amazing that the alternative government of this country would choose not to invest in Australia. It is a matter of fact that we can purchase some things cheaper, readily made from overseas, but we must ask at what cost—and I will tell you at what cost. It is at the cost of hundreds of Australian jobs. Surely, that is too much to pay.

We see the Liberal-National Coalition fighting for Australian farmers against international deals but not workers of Adelaide's western suburbs. We see them committing billions of dollars to transport upgrades in Sydney's west but not looking to what they might do to sustain the premier defence precinct which happens to be in a state with not a lot of federal seats. I encourage those opposite me today to appeal to their federal colleagues, encourage them to commit to supporting all Australians, not just those Australians who may win them an election.

South Australians deserve to know where they stand before the federal election. We deserve to know if an Abbott government will simply cast us adrift. We need to know prior to 14 September whether Tony Abbott, should he be elected as prime minister, would prefer to see South Australians out of work than support the South Australian economy. The Gillard government has made a commitment the likes of which the community encourage politicians to make regularly—a commitment based not on an election cycle or winning seats but on the best outcome for our state and our country. We are all seeking for this commitment from the Liberal-National Coalition.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (12:29): Much has been said during this debate about the genuineness of the Prime Minister in making a commitment to South Australia. For all of the good reasons that many speakers have outlined, it is important that she make that commitment. Julia Gillard is the current prime minister; she is in charge of the money and the decisions. She has had a number of years now since her appointment to confirm—and, in fact, advance—what commitments had been made by her predecessor, prime minister Rudd, when he was there.

My concern is that, just as occurred with the state government's over spruiking of the Roxby Downs project, they are again making an attempt to have some advanced manufacturing in this state. I am not sure why they call it advanced manufacturing. I think we are floundering at this stage to maintain even manufacturing in this state. In any event, let us assume that we go to

another level, that is, some manufacturing being the future of this state, which we wholeheartedly support.

The government, including the current Premier's predecessor, in my view, over-spruiked our contribution to the air warfare destroyer project. Most members, I think, had an opportunity—in the development of the part of the project that we did in South Australia—to visit the site and see the extraordinary work that was being undertaken for South Australia's part of the contract, which was to build the middle third. The other two ends, of course, were built in different states.

The contract provided that we would build the middle piece and then put all three pieces together. That was our part in an \$8 billion-odd project, of which we had, I think, just over a \$1 billion share of. What that meant was that the other (near) \$7 billion had been spent in other parts of Australia. It is interesting that, if one reads the newspapers that cover the other states when these projects were being done, you would think South Australia did not even exist in the contribution that was put into that very important project.

I think the government needs to also understand that around the world trillions of dollars are being spent on defence in the naval shipbuilding arena. Nothing was more clear to me (last week) when I had a meeting with the Indian High Commissioner, who was here from Canberra to have a talk to members of the government and the opposition. He outlined the defence industries in India. I was interested, and I am sure the government would be interested, in any advancement of both skills training and opportunities in the development of our own naval and defence shipbuilding opportunities in South Australia.

He said to me during this meeting that there is an almost insatiable demand in India for defence building, not just of ships but of other equipment that they require for their own domestic purposes, that is, their own consumption of the necessary defence artillery and equipment they need to both protect their country and, as I say, for their own domestic need. He was not interested in outlining to me what opportunity there might be in South Australia for India to in some way utilise South Australia's premier facilities for naval shipbuilding at all.

He was interested in knowing what skills opportunities there were in South Australia to provide the skills for people in India to promote their domestic shipbuilding industry to provide for their opportunities. As I understand it, they import significant equipment and intellectual property parts from the United States, Russia and Israel and they do the work in India. We might hope, I would think, if there is going to be some continued link with India that we have enjoyed in the past, and would hope that would be developed, to have the opportunities to assist them in their skills development to facilitate that. But let us be clear, let us live in the real world here, our industry is embryonic and it is important that we secure great opportunities.

We have finished shipbuilding in Whyalla. Under this government, we have finished shipbuilding at Port Adelaide, tragic as that is for the shipbuilding industry. I would support the Premier, under an amended motion by the opposition, to do whatever we can to ensure that the defence industry is promoted in South Australia, in particular with naval shipbuilding. But let us live in the real world, let us understand that what we need here is a commitment from the current Prime Minister, who could sign up today, if she wanted to, to make that commitment, but she has not done that. We are moving toward it or some other piffle that we have had.

So, to me, that is not the issue. The issue is making sure that we understand that, in the embryonic aspect of the industry that we have with ASC here, which is a wholly-owned commonwealth entity based in South Australia, we have opportunities. It is important, as other members have illustrated for their electorate, for job opportunities. It is important for South Australia, but understand that, in the real world, we are small in the scheme of things, but we need to ensure that we secure from our own federal government what opportunities we have. Do not over-spruik it; actually just go to Canberra and secure it.

Mr PEGLER (Mount Gambier) (12:35): I would just like to say what a sad, sad day it is for South Australia when both the Labor government and the Liberal opposition have to politicise such an important issue as the Future Submarine project in South Australia. There is no doubt that this project will be the backbone of manufacturing in the future in South Australia and we should also be looking at the opportunities for some of our manufacturers within the regions to be able to piggyback on this extremely important project. I found it quite sad that both the Premier and the Leader of the Opposition chose to spend most of their 20 minutes speaking on how the other side got it wrong rather than a way forward. It is so important that as a parliament we do find a way forward in this extremely important project.

I would call on both the Labor government and the Liberal opposition to come together in a bipartisan way. I know that may be a little naive of me, but that is certainly what I would like to see. I would ask both parties to approach their federal colleagues—both the Gillard Labor government and the Tony Abbott-led Liberal-National Party Coalition—to try to get a strong commitment from both those parties that in the future they will make sure that those submarines are built here in Adelaide at the Techport facility.

I just indicate that I will not be supporting the amendment. I believe that, if the amendment became the motion, the motion would then have no substance whatsoever because all it will do is recognise South Australia's strong commitment, but it gives no commitment to South Australia on where we would go forward. I will support the motion, because I believe that it is a small step in the right direction in calling on the Liberal-National Party Coalition to give some commitment, but we also need much more firm commitment from the Gillard government. I will be supporting the motion.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (12:38): I thank all members for their contributions. I think much has been said about politicising this debate. I take members to the actual motion, and it is a purely factual set of propositions. It simply calls for one thing and one thing only from this house, and that is that they call on the Liberal-National Party Coalition to essentially support an Australian build.

That is the extent of what we are asking them to do. We are not asking them to condemn the Abbott opposition. We are not asking them to do anything of the sort. We would like to think that they might go out and actually advocate for this matter. We would like to think that they are behind the scenes using every conceivable endeavour to actually bring this about, but all we are formally asking them to do today is to put on the public record something which calls on them to commit to an Australian build.

I think there has been some misrepresentation of the position of the federal government. The federal government's position, as you would expect with the largest procurement in the history of the commonwealth, is methodical. First they had to ensure that they resolved the problems with Collins so that they could satisfy on any reasonable basis the fact that ASC would be the appropriate place to be involved in the assembly of a new submarine. It made sense for them to get that right first. It also made sense for them to go about this very long and detailed process, that has a number of different passes in it, associated with this procurement process. This is the methodical way in which you actually make decisions of this magnitude.

In any event, we still have Collins until the end of a very considerable period into the 2020s. So this is a project which is for the end of the period, and there is some suggestion that Collins actually has a life beyond its original forecast life. So there is time, but there is urgency about the decision-making processes being stepped out in the way in which they have been proposed. It has also been suggested that, somehow, the federal government has cast doubt on this commitment for an Australian build, and I think that Stephen Smith, the federal Minister for Defence, has been misrepresented by the Leader of the Opposition. He said these words, in addition to the other words that, I think, may have been quoted by him:

And we committed ourselves in 2009 to a submarine fleet of 12 to be assembled in Adelaide. That remains our absolute commitment.

It is not a commitment which is matched by our political opponents, but we have committed ourselves to that, for national security reasons, and we believe they should be assembled here, whichever option we choose, because this is the heart and the home of our submarine expertise.

The Deputy Leader of the Opposition spoke about the 'real world'. I want to talk about the real world. The real world is this: if both major parties at a national level commit to the assembly of future submarines in Adelaide, it happens. That is the real world.

I give you another real world situation: we have a federal election on 15 September and this is the ideal opportunity for this parliament, and those opposite, to put pressure on the federal Coalition to match that commitment. That means we cannot lose either way; that means that South Australia wins, whatever the result of the federal election. That is real world and that is no less and no more than what we are asking with this resolution. The resolution simply calls upon this house to give an expression of intent, calling on the federal Liberal-National Party Coalition to support this.

I know those opposite choke whenever they feel as though they have to say something which may be seen as some veiled criticism of their federal colleagues. I think they are going to have to get over that in the interests of the state. They did that over the River Murray, they wanted us to accept 2,750 gigalitres on the River Murray—we refused to accept that—and we stood up for 3,200 gigalitres of water coming down the river, and we won because we fought. One of the reasons we were successful is that this state—

Mr Pederick: You committed to cutting \$14 million per annum.

The Hon. J.W. WEATHERILL: —this state actually stood together—

Mr Pederick: Outrageous!

The Hon. J.W. WEATHERILL: We stood together, and that is what we are asking people to do now.

The SPEAKER: I call the member for Hammond to order!

The Hon. J.W. WEATHERILL: That is what we are asking South Australians to do today: expressed through their elected representatives, is stand together and call on the federal Coalition to match the federal government's commitment to assembling these submarines here in Adelaide. I do not know what the hesitation is by those opposite. I must say I am flabbergasted that they are opposing this resolution by suggesting there should be an amendment to it. I will be staggered if they vote against this resolution.

This will not be a good thing for South Australia, because the important thing about this, if we can lock in this commitment, is the process, the time that it will take, then, to actually move to the various decisions about the models. What will happen is companies will take this as an indication. They will actually see that it does not matter that these actual construction projects maybe 10 or 15 years in the future; you will have defence contractors that will say, 'We want a piece of this action; we want to be in Techport.' Defence companies here in South Australia have done this on spec, even before we have won certain contracts on the strength of the fact that we are going for them.

Mr Marshall: How good are they?

The Hon. J.W. WEATHERILL: Very good. Ask SAGE Automation, they are going very well. People are winning contracts here, not just in South Australia, but around the nation because they punted on the fact that the South Australian government had a clear vision, was making its own investments, and that is translated into defence contracts. How much more powerful would it be if we had the bipartisan commitment of both federal parties. We would then be in a position to know exactly where we stood into the future. There will be a massive temptation, should the federal Coalition be elected at the next election, for them to look at the largest single procurement on their books and seek to make economies. We have seen what Joe Hockey has said. It is natural; of course you would. This is an opportunity for us as a parliament to work together to ensure that this commitment is in place. I commend the motion to the house.

Amendment negated; motion carried.

CONSTITUTION (RECOGNITION OF ABORIGINAL PEOPLES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 20 February 2013.)

Mrs GERAGHTY (Torrens) (12:46): We have had considerable debate on this and, certainly from my colleagues on this side, it has been most interesting. This bill is a long overdue—

Mr Gardner: That's a bit unfair—from both sides.

Mrs GERAGHTY: —both sides, sorry; yes, I am sure that is true on most occasions—but is a historic milestone in the history of South Australia since colonisation. It enhances the moral standing of this parliament and of South Australian society in general. As I said, we have heard a number of speeches about the rightness of formally recognising the first peoples of South Australia in the state's constitution. We have heard some of the oral histories given to the advisory committee that remind us of the long history of poor treatment meted out to Aboriginal people by successive governments from colonisation to recent times. We are now all aware of those past practices for which the former prime minister apologised in 2008 and which gave rise to the South Australian parliament's apology to the stolen generation in 1997.

Indeed, there are a few of us in this chamber old enough to have witnessed the implementation of policies such as the removal of children and the exploitation of Aboriginal workers. This historical understanding of why we need to recognise Aboriginal people in the constitution must always be with us if we are to achieve real reconciliation. I say this because at times there have been attempts to brush this history aside.

For example, in the mid-1980s some commentators began to criticise a tendency amongst some Australian historians to interpret our past in negative or rueful terms. Historian Geoffrey Blainey called it 'black armband history'. The term took flight and was widely used to refer to histories that examined the relationship between Aboriginal and European Australians. Because detailed investigation of the Indigenous experience has, in the main, revealed an Aboriginal struggle for survival against seizure of lands, oppressive government policies, racial discrimination and destruction of culture, an ugly side of Australia's past was exposed.

Implicit and often explicit in this analysis was moral censure of non-Indigenous Australians. This type of self-reflection and moral judgement was viewed by some as unpalatable and unnecessary. However, as professor of politics Robert Manne pointed out, Australian history need not always be specifically about Aborigines but should always be written with an awareness of the tragic destruction of Aboriginal society and its long aftermath. It is the long aftermath that leads us to the bill that we will, hopefully, finalise today.

In the past couple of decades the royal commission into the Stolen Generation, the formal apologies and the poignant voices of the Aboriginal community and its leaders have moved many non-Aboriginal Australians to a new level of understanding of the history and support for such actions as constitutional recognition. Happily, we approach this bill and the recent commonwealth recognition bill in a bipartisan manner, and I commend the bill to the house. I certainly look forward to our dealing with it this afternoon, through its final stages.

Debate adjourned on motion of Mr Gardner.

[Sitting suspended from 12:51 to 14:00]

LIQUOR LICENSING (SMALL VENUE LICENCE) AMENDMENT BILL

His Excellency the Governor assented to the bill.

FINANCIAL TRANSACTION REPORTS (STATE PROVISIONS) (MISCELLANEOUS) AMENDMENT BILL

His Excellency the Governor assented to the bill.

SUPPLY BILL 2013

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as may be required for the purposes mentioned in the bill.

PAPERS

The following papers were laid on the table:

By the Speaker—

Auditor-General—Report on the Adelaide Oval redevelopment pursuant to section 9 of the Adelaide Oval Redevelopment and Management Act 2011 for the designated period 1 July 2012 to 31 December 2012 Supplementary Report February 2013 [Ordered to be published.]

Ombudsman SA—Investigation into the Growth Investigation Areas Report procurement Report March 2013 [Ordered to be published.]

Police Complaints Authority—Annual Report 2011-12

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

Regulations made under the following Acts—

Bail—Surrendered Items

Criminal Law (Sentencing)—Surrendered Items

Criminal Law Consolidation—Surrendered Items

Summary Offences—Weapons—Bayonet and Cross-Bow

Young Offenders—Surrendered Items

By the Minister for Education and Child Development (Hon. J.M. Rankine)—

Regulations made under the following Act—
Teachers Registration and Standards—Registration Exemptions

By the Minister for Finance (Hon. M.F. O'Brien)—

Electricity Industry Superannuation Scheme—Annual Report 2011-12

By the Minister for Police (Hon. M.F. O'Brien)—

Regulations made under the following Act—
Firearms—Fit and Proper Person

By the Minister for Correctional Services (Hon. M.F. O'Brien)—

Regulations made under the following Act—
Correctional Services—Surrendered Items

By the Minister for Road Safety (Hon. M.F. O'Brien)—

Community Road Safety Fund Revenue and Expenditure—Annual Report 2011-12

By the Minister for Manufacturing, Innovation and Trade (Hon. T.R. Kenyon)—

Management Plan for the Lake Eyre Basin Fisheries
Phylloxera and Grape Industry Board of South Australia—Annual Report 2011-12
Regulations made under the following Act—
Fisheries Management—
Lakes and Coorong Fishery—Mesh net and Yabby Pot Entitlements
Prescribed Quantities

By the Minister for Small Business (Hon. T.R. Kenyon)—

Small Business Commissioner South Australia—Annual Report 2011-12

By the Minister for Tourism (Hon. L.W.K. Bignell)—

National Environment Protection Council—Annual Report 2011-12

ANSWERS TO QUESTIONS

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

BHP BILLITON

In reply to **Ms CHAPMAN (Bragg—Deputy Leader of the Opposition)** (20 June 2012) (Estimates Committee B).

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development): I have been advised:

The Department of Planning, Transport and Infrastructure (DPTI) is invoicing BHP Billiton on a monthly basis for the Port Augusta to Olympic Dam Shoulder Sealing Project. The final invoice is due March 2013. BHP Billiton's decision regarding the Olympic Dam Expansion has not impacted its commitment to the shoulder sealing project.

GRANTS AND SUBSIDIES

In reply to **Mrs REDMOND (Heysen)** (31 October 2012).

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

The expense of \$12.6 million represented as 'Other grants and subsidies' for 2012-13 includes two material transactions that should have been listed separately.

These two transactions reflect:

- A \$2.4 million intra government transfer to the Department of Further Education, Employment, Science and Technology associated with the Building Family Opportunities initiative.
- A long-standing arrangement whereby WorkCover SA provides in-kind support to SafeWork SA. These services were valued at \$1.4 million in 2011-12. Pursuant to the requirements of accrual accounting practice, these in-kind services are recorded as expenses, notwithstanding that no cash payment has been made.

AUDITOR-GENERAL'S REPORT

In reply to the **Hon. I.F. EVANS (Davenport)** (13 November 2012).

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

A commitment to job security has been included in the new enterprise agreement that covers salaried employees in the public sector. The *South Australian Public Sector Wages Parity Enterprise Agreement: Salaried 2012* was approved by the Industrial Relations Commission of South Australia on 23 October 2012 and nominally expires on 30 June 2014. Negotiations for a new enterprise agreement may commence not earlier than 1 January 2014.

That enterprise agreement provides security of employment for the life of that enterprise agreement. That is the Government's 'no forced redundancy policy' will apply to the employees covered by that agreement during the life of that agreement. In effect, for the life of that agreement, there will be no forced redundancy for employees covered by that enterprise agreement.

The agreement only applies to the parties bound. Generally these are salaried employees who work in administrative units (i.e. public service); SA Health; and various entities specified in the agreement. If a new agreement is not made by 1 July 2014, the *Fair Work Act 1994* provides that the agreement will continue in force, i.e. it will continue to have a 'life' until it is superseded or rescinded pursuant to the *Fair Work Act 1994*.

Attachment A details the 'job security provisions' and the 'protection of existing conditions provisions' in the enterprise agreements that have been approved since November 2011.

SA Public Sector Enterprise Agreements approved since November 2011 that Include Security of Employment and/or Existing Condition Provisions

Enterprise Agreement	Commencement Date to Nominal Expiry Date	Job Security Provisions	Protection of Existing Conditions Provisions
South Australian Metropolitan Fire Service Enterprise Agreement 2011	29 February 2012—31 December 2013	28.21 Employment Security The parties agree that security of employment in the form of no forced redundancy will apply for employees bound by this Agreement from date of approval by the Commission for the life of the Agreement and in accordance with the provisions contained in Commissioners Standard 2—Quality Staffing as varied from time to time.	Nil

Enterprise Agreement	Commencement Date to Nominal Expiry Date	Job Security Provisions	Protection of Existing Conditions Provisions
South Australian Public Sector Wages Parity Enterprise Agreement Salaried 2012	23 October 2012— 30 June 2014	<p>2. OBJECTS AND COMMITMENTS</p> <p>2.2.4 Employment security for employees bound by this Enterprise Agreement for the life of this Enterprise Agreement;</p> <p>9. SECURITY OF EMPLOYMENT AND REDEPLOYMENT 9.1 Subject to this clause and conditional on approval of this Enterprise Agreement, the parties acknowledge that this agreement is made and entered into on the basis that:</p> <p>9.1.1 The Government's 'no forced redundancy policy' will apply and operate during the life of this agreement to the effect that, for the life of this agreement, there will be no forced redundancy for employees bound by this Enterprise Agreement; and</p> <p>9.1.2 Redeployment and related processes or procedures will continue to be modified by the employer and/or agency/ies (administratively; by Commissioner's Determination under the <i>Public Sector Act 2009</i>; or otherwise) as soon as practicable and during the life of this Enterprise Agreement to enable the employer and agency/les to effect the earliest possible redeployment, reassignment and/or retraining of employee/s.</p>	<p>2. OBJECTS AND COMMITMENTS 2.2.7 Existing conditions of employment applying to a party not being reduced, subject to the terms of this Enterprise Agreement and any applicable Workplace Flexibility Agreement. This commitment does not prevent the operation of other commitments in this clause, but not to the effect that (considered as a whole) would result in a diminution of conditions existing as at the date of approval by the Commission.</p> <p>ENFORCEMENT 27.1.2 If a Union reasonably believes that in respect of its members there is a purported breach or non-compliance with this Enterprise Agreement in relation to: an express basis on which this agreement is made; or a parliamentary process that reduces or removes an employment benefit; an existing condition; or a condition prescribed in this agreement, the Union may seek redress to the Industrial Relations Commission of South Australia in relation thereto.</p>
State Theatre South Australia Workshop and Props Enterprise Agreement 2012	4 June 2012— 4 June 2014	<p>Clause 10 Ongoing Consultation</p> <p>10.2 The Company will also convene regular staff meetings between management and staff,</p> <p>e). Improve job security, the attainment of skills and career opportunities for employees.</p>	<p>Clause 4 Relationship to Parent Awards</p> <p>4 (b) Existing employment conditions shall be maintained.</p>

MID-YEAR BUDGET REVIEW

In reply to **Mr MARSHALL (Norwood—Leader of the Opposition)** (6 February 2013).

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

An operating slippage provision is included in the Budget to reflect the tendency, on a whole-of-government basis, for underspending against programs and initiatives. A considerable proportion of the underspend occurs on Commonwealth programs.

The Mid-Year Budget Review included a provision for operating slippage of \$287 million in 2012-13. This is higher than the operating slippage provision of \$150 million established in the 2011-12 MYBR due to increasing operating carryovers as a percentage of government expenditure. At Budget time the \$150 million provision was split over two years being \$75 million in 2011-12 and \$75 million in 2012-13.

The level of operating slippage is set based on the average level of expenditure carryovers experienced in recent years.

Including a slippage provision in the budget is appropriate to more accurately reflect expected end of year expenditure levels.

The budget papers transparently reflect the slippage provisions included in the budget (most recently refer to page 21 of the 2012-13 MYBR).

WATER ALLOCATION PLANS

In reply to **Mr BROCK (Frome)** (20 February 2013).

The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport): The Minister for Sustainability, Environment and Conservation has received this advice:

As at 28 February 2013, there are 20 water allocation plans which have been finalised and implemented. These are listed below according to the Natural Resources Management (NRM) Region in which they are located:

Within the Adelaide and Mount Lofty Ranges NRM Region, there are water allocation plans for the:

1. Barossa Prescribed Water Resources Area;
2. McLaren Vale Prescribed Wells Area; and
3. Northern Adelaide Plains Prescribed Wells Area.

Within the Eyre Peninsula NRM Region, there are water allocation plans for the:

4. Musgrave Prescribed Wells Area; and
5. Southern Basins Prescribed Wells Area.

Within the Northern and Yorke NRM Region, there is a water allocation plan for the:

6. Clare Valley Prescribed Water Resources Area.

Within the South Australian Arid Lands NRM Region, there is a water allocation plan for the:

7. Far North Prescribed Wells Area.

Within the South Australian Murray Darling Basin NRM Region, there are water allocation plans for the:

8. Angas Bremer Prescribed Wells Area;
9. Mallee Prescribed Wells Area;
10. Marne and Saunders Prescribed Water Resources Area;
11. Noora Prescribed Wells Area;
12. Peake, Roby and Sherlock Prescribed Wells Area; and
13. River Murray Prescribed Watercourse.

Within the South East NRM Region, there are water allocation plans for the:

14. Comaum-Caroline Prescribed Wells Area;
15. Lacepede Kongorong Prescribed Wells Area;
16. Naracoorte Ranges Prescribed Wells Area;
17. Morambro Creek and Nyroca Channel Prescribed Watercourses including Cockatoo Lake and the Prescribed Surface Water Area;
18. Padthaway Prescribed Wells Area;
19. Tatiara Prescribed Wells Area; and
20. Tintinara Coonalpyn Prescribed Wells Area.

As at 28 February 2013, there are 4 water allocation plans being developed for water resources that have previously not had a plan. These include:

Within the Adelaide and Mount Lofty Ranges NRM Region, plans in development for:

1. The Western Mount Lofty Ranges Prescribed Water Resources Area; and
2. Parts of the Adelaide Plains including the Central Adelaide Prescribed Wells Area and the Dry Creek Prescribed Wells Area.

Within the Northern and Yorke NRM Region, a plan in development for:

3. Baroota Prescribed Wells Area.

Within the South Australian Murray Darling Basin NRM Region, a plan in development for:

4. Eastern Mount Lofty Ranges Prescribed Water Resources Area.

It should be noted that once adopted by the Minister for Sustainability, Environment and Conservation, a water allocation plan does not expire.

The *Natural Resources Management Act 2004* requires that water allocation plans are reviewed by the relevant Natural Resources Management Board at least once during each period of 5 years following adoption of the plan. Following review, a plan may then be amended or may continue in its current form for up to a further 5 years. A number of water allocation plans that are presently in operation are undergoing this review process.

CONSTRUCTION INDUSTRY

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: We have a diverse economy in South Australia, and while some sectors are growing strongly others are not. In particular, our housing construction industry has been experiencing difficulty for some time. Since May 2010, housing approvals have declined by 39 per cent. While the latest few months of data suggest that the decline has been arrested, we are still seeing quite low rates of housing construction. Yesterday we saw only a 0.3 per cent increase in building approvals in trend terms.

As members will be aware, we acknowledged this problem last year and we acted, in particular, to boost demand. We provided a full stamp duty concession of up to \$21,330 on eligible apartments bought off the plan in the Adelaide City Council area, Bowden Village and the 45 Park developments. This remains in place until June 2014, with a partial stamp duty concession to apply in June 2016.

In October last year, we introduced the Housing Construction Grant, up to \$8,500 for any person building a new home. Designed to provide a quick stimulus to demand in the housing sector, this remains in place only until June this year. Early signs are encouraging. I am advised that our support has led to a substantial increase in inquiries to builders and developers. We want to continue this early momentum in the return of the housing sector, so I have asked Treasury to provide details of the forward construction program for government and directed agencies with

construction programs to identify those projects which could be profitably advanced to give a quick boost to supply.

Yesterday in cabinet we had reports from Treasury and agency chief executives to examine which projects could be brought forward. As a result, I can announce to the house that projects worth more than \$70 million will now be brought forward from future years to commence as soon as possible. These include 18 Better Neighbourhoods projects for the construction of 170 houses at a cost of \$23.6 million under the auspices of Renewal SA, which can commence from the middle of the year, and \$27 million to construct 90 specialised disability supported accommodation dwellings, along with \$8 million for social and disability housing. Both projects will be delivered through Housing SA and commence from the middle of this year.

We will also accelerate the \$16 million second tranche of the broader \$32 million small maintenance grants program to schools launched last year, a program which is allowing our local schools to use local tradespeople to undertake needed maintenance work with a minimum of red tape. Accelerating these projects will support jobs for South Australians and support business for local builders and tradespeople. They are further support for our housing sector because we know a resurgent housing sector is good for our economy. We recognise that some sectors of the economy need assistance, so this government is willing to provide support for jobs, support for business, and support for the economy.

COMPULSORY THIRD-PARTY INSURANCE

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) (14:08): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.J. SNELLING: This government is acting to reduce the cost of living for South Australians wherever it can. For example, in last year's budget we introduced a water rebate of up to \$75 for South Australian households. Today I advise the house that I will give notice to introduce a bill to make our compulsory third-party scheme fairer and cheaper for South Australians.

Mrs Redmond interjecting:

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

The Hon. J.J. SNELLING: Last year, with the Premier, I announced a green paper describing potential reforms to make the state's compulsory third-party insurance scheme cheaper for South Australian motorists and ensure that those injured in motor vehicle accidents receive the lifetime care and support that they need. Late last year, after the initial consultation, a white paper and draft bills were released for further consultation.

Through the green and white paper process the government has received submissions from, and held discussions with, many interested parties, including the RAA, the South Australian Bar Association, the Law Society, the Australian Lawyers Alliance, disability support groups, the Australian Medical Association and the public. I thank everyone for their constructive contributions and for participating in the consultation process.

South Australia's CTP scheme is one of the most expensive in the country, with drivers of a class 1 passenger vehicle in the metropolitan area paying more than \$500 per car in CTP premiums. For a typical South Australian family that needs more than one car to get to work and to get their kids to school, these costs can rise quickly, putting pressure on the family budget.

Right now, injured persons can only claim on the scheme if they prove that the accident was the fault of a South Australian vehicle, with any potential compensation being in the form of a once-off lump-sum payment. This means that at the moment about 40 per cent of catastrophically-injured road accident victims each year are not covered because there is no-one at fault.

Too often on country roads we have serious crashes involving kangaroos, unfamiliar dirt roads or driving conditions, or other freak occurrences that result in accidents where the victim has no-one to sue. Where compensation is available, the costs are paid mainly from the CTP premiums charged on the 1.3 million vehicles garaged and registered in South Australia and these costs will continue to increase steadily if the government does not act.

The government's changes to the CTP scheme will see every South Australian motorist receive a reduction of nearly \$150 in their CTP premiums over the next two years. These changes,

plus a recent improvement in the performance of the scheme, mean that the typical class 1 passenger vehicle premium will fall from \$512 in 2012-13 to \$408 in 2013-14, a saving of \$104. When the new lifetime support scheme is introduced in 2014-15, it is estimated that motorists will still receive a continuing saving of \$44 before inflation, compared to their current compulsory third-party premiums.

The CTP changes will also make the scheme fairer and deliver better care and support to South Australians who suffer serious injuries in vehicle accidents and, as a result, need lifetime treatment, care and support. Unlike the current scheme, people who suffer catastrophic injuries such as spinal and brain injuries will be cared for for the rest of their lives without having to prove fault. Importantly, all children who suffer injuries in vehicle accidents will be entitled to no-fault compensation for medical costs if they are under the age of 16 at the time of the accident.

Through the government's reforms, South Australian motorists will pay around \$130 million less in premiums to fund the CTP scheme in 2013-14. The RAA, doctors, disability groups and now the South Australian legal profession all support this reform. The RAA's group managing director, Ian Stone, says that 'the RAA strongly supports a scheme that focuses on the best health and life outcomes for injured motorists', while Penny Gale from the RAA has acknowledged that the scheme will reduce costs for South Australian motorists.

John White from the Law Society is also supporting the changes and has said that their negotiations with the government will result in more people potentially being eligible for compensation under the scheme, compared with the original white paper proposal. After 12 months, who is the only group that remains silent on this significant saving for South Australian motorists? It is those opposite—the Liberal Party. After 12 months, the Leader of the Opposition—

The Hon. I.F. EVANS: Point of order, Mr Speaker.

The SPEAKER: The remedy, member for Davenport, is not a point of order: it is withdrawing leave. Is the minister finishing up?

The Hon. J.J. SNELLING: I am winding up, sir.

The SPEAKER: Good.

The Hon. J.J. SNELLING: After 12 months, the Leader of the Opposition is the only person yet to come out and support this cost of living reform for South Australian families. I call on those opposite and this week's Leader of the Opposition to support the speedy passage of this legislation through the house so that South Australian motorists can receive this benefit as soon as possible. And with that, Mr Speaker, I give notice that on the next day of sitting, I will move that I have leave to introduce a bill for an act to provide a scheme for the lifetime care and support of persons injured in motor vehicle accidents, and for other purposes.

The SPEAKER: I am very relieved that you weren't anticipating an order of the day.

FIRE AND EMERGENCY SERVICES ACT REVIEW

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:15): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.F. O'BRIEN: I wish to inform members that I have appointed the Hon. Paul Holloway to undertake a review of the Fire and Emergency Services Act 2005. A review under section 149 of the act is required to commence after 30 March 2013 and be submitted to me by 30 September 2013. The act requires that the review be conducted by a person who, in the opinion of the minister, has appropriate knowledge and experience but who is not a member or former member of an emergency services organisation.

The Fire and Emergency Services Act was proclaimed on 1 October 2005 to establish the South Australian Fire and Emergency Services Commission. The act provides for the commission's role in the governance, strategic and policy aspects of the emergency services sector. It also provides for the continuation of a metropolitan fire and emergency service, a country fire and emergency service and state emergency service to provide for the prevention, control and suppression of fires and for the handling of certain emergency situations and for all other purposes.

The Hon. Paul Holloway is well qualified to undertake the review. He is well known to members of this chamber, and the honourable members in the other place, as a skilled legislator.

He was appointed a member of the other place on 26 September 1995 and retired on 13 September 2011. He has held numerous ministerial appointments between 2002 and 2011, including minister for police from March 2006 to July 2010. He was acting minister for emergency services on numerous occasions.

I have asked the Hon. Mr Holloway to consult with stakeholders in the emergency services sector and to complete his review within several weeks. I discussed his proposed appointment with chief officers of the Metropolitan Fire Service, the Country Fire Service and the State Emergency Service and also with the shadow minister for emergency services. All indicated their support for his appointment. The act requires that copies of his report must be tabled in both houses of parliament within 12 sitting days of my receiving it. I look forward to updating members on the outcome of the review.

NATURAL RESOURCES COMMITTEE

The Hon. S.W. KEY (Ashford) (14:19): I bring up the 76th report of the committee, entitled Water Resource Management in the Murray-Darling Basin, Volume 3: Postscript—The Return of the Water.

Report received and ordered to be published.

VISITORS

The SPEAKER: I welcome to the parliament students from Concordia College, who are guests of the member for Unley.

QUESTION TIME

MEMBER FOR ELDER

Mr MARSHALL (Norwood—Leader of the Opposition) (14:20): My question is to the Premier. Following revelations that the member for Elder is working three days a week for a law firm, was approval given by the Premier or the Commissioner for Public Sector Employment according to section 7 of the Ministerial Code of Conduct, which restricts employment with any firm in contractual arrangements with the government unless such approval is given?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:21): I thank the honourable member for his question.

Mr Venning: Can't hear you.

The Hon. J.W. WEATHERILL: Sorry?

Mr VENNING: Can't hear you.

The Hon. J.W. WEATHERILL: Well, if you perhaps stop interjecting, it will be much easier to hear. Members of parliament, of course, are not precluded from being engaged in paid work outside their parliamentary duties. That simple matter seems to have been lost in the debate recently. Former ministers, though, are guided in what activities they may engage in by the Ministerial Code of Conduct, as the Leader of the Opposition points out. The code relevantly provides that former ministers are prevented from taking employment with any organisation with whom they have had official dealings in the last 12 months as a minister. I am advised that the member for Elder is aware of no official dealing with Minter Ellison in the relevant period.

The other relevant part of the code is that ministers are prevented from disclosing any confidential information to which they have access as a minister, or to use that information to obtain a personal advantage or benefit, but the code expressly does not prevent ministers from using general skills and knowledge acquired by them in the course of their period of office. That is in its explicit terms. I am sure that minister Conlon is fully aware of his obligations under the code, and I understand that a copy of the code has been provided to Minter Ellison. I am confident that both of them will conduct themselves in accordance with those obligations.

MEMBER FOR ELDER

Mr MARSHALL (Norwood—Leader of the Opposition) (14:22): I have a supplementary question. You talk about the Ministerial Code of Conduct; can you reflect on section 7, which specifically restricts employment with any firm in contractual arrangements with the government

unless prior approval is provided by the Premier or the Commissioner for Public Sector Employment?

The SPEAKER: I will take that as a supplementary. The Premier will perhaps reflect on it; I will not. The Premier.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:23): I have reflected on it and the situation is as I have outlined.

MEMBER FOR ELDER

Mr MARSHALL (Norwood—Leader of the Opposition) (14:23): Supplementary: was approval given by yourself or the Commissioner for Public Sector Employment prior to Mr Conlon taking this role, as required by section 7 of the Ministerial Code of Conduct?

The SPEAKER: I would ask everyone to refer to the member for Elder. Premier.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:23): I do not share the Leader of the Opposition's construction of the code of practice. I think he is misreading the code of practice.

Mr PENGILLY: Point of order, sir: I do not know what it is like back here, but I cannot hear the Premier. I did not hear that answer.

The SPEAKER: Has the Premier finished? The Premier has finished. The member for Finniss may refer to *Hansard*. The member for Port Adelaide.

ADELAIDE FESTIVAL EVENTS

Dr CLOSE (Port Adelaide) (14:24): Can the Premier inform the house about the success or otherwise of Adelaide's Mad March events and their economic impact for South Australian business?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:24): I thank the honourable member for her question. Mr Speaker, anybody looking at Adelaide—in fact, there was a fantastic view over Adelaide from the top of Mount Lofty; you could have actually looked over Adelaide and seen that the whole of Adelaide was lit up with—

Members interjecting:

The Hon. J.W. WEATHERILL: Not even a smile. Everyone was lit up with the fact that Adelaide was going off over this weekend. It was a fantastic weekend of activity. The Adelaide Fringe is now two weeks into its extended four-week session, which this government delivered. As it always does, the Fringe has been filling our city streets and creating business for South Australian cafes, restaurants, bars and pubs.

The newly-extended Fringe has been an extraordinary success. Ticket sales are up more than 11 per cent on last year, and 126 sessions over the weekend were essentially sold out, with each session selling more than 95 per cent of its ticket allocation.

The weekend also saw the Clipsal 500 and the start of the Adelaide Festival. I was fortunate enough to be in Elder Park on Friday night, along with 25,000 fans that came in. They were very happy to be there, and you had to get in early because it was obviously a great free concert with Paul Kelly and Neil Finn.

The concert really epitomises, I think, the approach that the new festival director, David Sefton, has taken; he wants to reach out to more South Australians, and I think it was a wonderful gesture to put on a free concert on the first night. I think it has created a sense of this festival already being a success before it started. I am also advised that ticket sales are well ahead of last year's sales at the same time. I also spent some time at the track, experiencing this year's V8 Supercars, and—

Mr Pengilly interjecting:

The Hon. J.W. WEATHERILL: —what an event it was. What an event it was. Was the member for Finniss there? No, he wasn't? Anyway, he was invited, but he may have chosen not to go. It had—

The Hon. J.R. Rau: He was working on the farm.

The Hon. J.W. WEATHERILL: That's right, on the farm. It was a great event, bringing together, obviously, massive crowds, perfect weather, some great acts, and a sell-out day for the first time in the history of Clipsal: 95,000 people on the Sunday; it was a great event. Two hundred and eighty thousand people attended over the four days, which is a record only beaten in the pre-GFC days—I think on the 10th anniversary, March 2008. So, it was a great performance.

While I didn't make it there—although, those opposite, some of them may have made it down to Soundwave, where Metallica were a hit. There were 40,000 people pouring into Bonython Park to see a hard metal—

The Hon. J.R. Rau: Heavy metal.

The Hon. J.W. WEATHERILL: Heavy metal. 'Hard core metal', it says here.

The Hon. J.J. Snelling: Hard volume!

The Hon. J.W. WEATHERILL: That's right. I want to acknowledge all of the people that make these events a success, because there is an enormous number of volunteers that actually swarm around these events. When I was down at Clipsal, I met a number of St John's volunteers, who do a great job down there. There are volunteers at every one of these events that make it such a successful event.

The BankSA survey last week revealed that there is a growing confidence in South Australia, and I think it was reflected in the ticket sales we are beginning to see in this March period. So, it is with great pleasure that I invite all South Australians to get along to the remaining events in March. There are so many fantastic things to get involved in.

MEMBER FOR ELDER

Mr MARSHALL (Norwood—Leader of the Opposition) (14:28): My question is again to the Premier. Following revelations that the member for Elder is working three days a week for a law firm, how will the Premier ensure that members of his cabinet do not discuss with the member for Elder matters relating to their portfolios that may present a conflict of interest for the government?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:28): I thank the honourable member for his question. One of the difficulties that I think exists in the public debate is the way in which those opposite, including the Leader of the Opposition, spread misinformation about these matters.

The Leader of the Opposition has taken the Ministerial Code of Conduct—a document which is on the public record—and read clause 7 and misinterpreted it. It is absolutely clear, on its face, that they are cumulative obligations, to actually involve—that you are precluded from dealing with somebody with whom you have direct dealings. You have simply misread the document, and that, I think, is—

Ms Chapman interjecting:

The Hon. J.W. WEATHERILL: And he can turn next to him and get some expert legal advice any time he likes. I am sure—she is always prepared to proffer advice, and I am sure she will proffer advice to the Leader of the Opposition and tell him where he has got it wrong.

Mr PISONI: Point of order, sir.

The SPEAKER: Point of order, member for Unley.

Mr PISONI: You have made it very clear that speakers must address members of this house by the electorate which they represent or the position which they hold, and I believe that the—

The SPEAKER: That doesn't preclude the use of the personal pronoun and, accordingly, I call you to order. Premier.

The Hon. J.W. WEATHERILL: Nice try; wrong again. Look, of course the way in which the code works is to preclude ministers providing information in relation to their duties, and there is a confidentiality clause that the minister has chosen to give an undertaking that he will comply with. I expect him to comply with that. The particular terms of those arrangements have been brought to

the attention of the law firm in question, and I expect them to comply and assist him in complying with that code.

MEMBER FOR ELDER

Mr MARSHALL (Norwood—Leader of the Opposition) (14:30): Supplementary, Mr Speaker. My supplementary is to the Premier. Is it your opinion that section 7 of the Ministerial Code of Conduct does not require the member for Elder to seek prior written consent of the Commissioner for Public Sector Employment in consultation with the Premier of the day when seeking employment or taking employment with a company which has a benefit from the government of South Australia?

The SPEAKER: Well, first of all, that is not a supplementary, so it is just an ordinary question. Secondly, I don't know whether the Leader of the Opposition should be seeking legal advice from the Premier, but if the Premier wishes to answer the question, he may.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:31): I can't help the Leader of the Opposition if he is misreading the Ministerial Code of Conduct. We have complied in its terms with the code of conduct. The relevant minister has sought advice about that and complied with that.

If they want to advance (which they never do, because for many of them they have over decades participated in business activities that involve their own family businesses) a change in the arrangements which have consistently been part of this place for decades, let's hear them say that. But I don't think we'll be hearing from those that actually do have activities that they involve themselves in outside of this place seeking to make a change in this. They will just raise their petty pointscore in this place.

INTEGRATED TRANSPORT AND LAND USE PLAN

The Hon. S.W. KEY (Ashford) (14:32): My question is directed to the Minister for Planning. Minister, can you please inform the house about what is being done to help South Australia align the transport and urban development of the future?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (14:32): I thank the honourable member for her question. I am pleased to inform the house that on 28 February, the state government announced that it has secured \$2 million in funding from the commonwealth to undertake an integrated transport and land use strategy. This integrated strategy will ensure that land use planning, strategic infrastructure planning and transport investment are fully integrated in South Australia for the coming 30 years. It will formalise existing transport and infrastructure plans within the 30-Year Plan for Greater Adelaide.

The strategy will focus on moving people between places of residence, work and recreation. It will be designed to guide private, state, federal and local government investment into the transport system for the next 30 years. South Australia has seen unprecedented levels of investment into transport over the past decade, and that has been targeted at revitalising our public transport system, improving public safety and supporting business growth by focusing investment in key transport corridors.

I understand key industry groups have welcomed the news and will of course play an important role, not only in the development of this strategy but also in the extensive community consultation both within the metropolitan and regional areas. We hope to complete the study by the end of September this year.

Members interjecting:

The SPEAKER: I call the member for Schubert to order and I warn the member for Unley for the first time. The Leader of the Opposition.

MEMBER FOR ELDER

Mr MARSHALL (Norwood—Leader of the Opposition) (14:34): My question is to the Premier. Following revelations that the member for Elder is working three days a week for the real estate division of a law firm, how will the Premier ensure that the member for Elder, who was minister for housing and urban development and transport and infrastructure only six weeks ago, does not use confidential information relating to these portfolios?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:34): The first thing is that he has undertaken not to do so. The second thing is—

Members interjecting:

The Hon. J.W. WEATHERILL: Well, there's also a question of professional integrity, and people who actually do practise the law value that more highly than any petty political pointscoring that might go on in this place, and their professional obligations are even more substantial than anything that is set out in this material. It would be a matter of some moment if they were to breach those obligations to their client or these undertakings that have been given here.

If those opposite have any evidence that they wish to advance that there has been a breach of these matters, let them put it forward rather than just providing the general slur that they seek to advance. What I have set out here are the two germane principles, that is, past dealings and confidential information. Both of those are well understood by both the member and the law firm, and they have undertaken to comply with them, which is the way in which this code of practice is meant to operate.

Mr MARSHALL: I have a supplementary.

Members interjecting:

The SPEAKER: Just before the supplementary, I warn the member for Morialta for the first time, the member for Heysen for the first time and the member for Unley for the second time. Leader of the Opposition.

MEMBER FOR ELDER

Mr MARSHALL (Norwood—Leader of the Opposition) (14:36): Given that the Premier has raised the issue of professional standards held by legal practitioners, is the Premier concerned that it presents a conflict of interest for his government that the member for Elder must comply with both the Ministerial Code of Conduct as an MP and the attorney-client privilege as a lawyer?

The SPEAKER: That is not a supplementary question. It is just another opposition question. The Premier.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:36): No, I am not.

SOUTHERN EXPRESSWAY

Mr SIBBONS (Mitchell) (14:37): My question is to the Minister for Transport and Infrastructure. Can the minister update the house about the progress of the duplication of the Southern Expressway?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (14:37): I thank the member for Mitchell for his question and his keen interest. Yesterday, a milestone was reached in the duplication of the Southern Expressway when the second bridge, the \$4 million Seacombe Road bridge, was reopened to traffic; and I am sure the member for Mitchell is very pleased at that occurrence, as are other members of the house.

Bridge extension works are critical to the duplication of the Southern Expressway, and the Seacombe Road bridge, which was closed in May last year, is just one of the nine road bridges on the Southern Expressway requiring extensions to make way for the new expressway carriageway. We can look forward to the O'Sullivan Beach Road, Elizabeth Road and more road bridges progressively opening in the coming months.

I remind the house that this government is duplicating the 18.5-kilometre expressway to create a multilane, two-way expressway between Bedford Park and Old Noarlunga. The project is a key part of the development of Adelaide's north-south corridor. The government is very proud of the work that has been undertaken on this \$407.5 million project, and I am advised that it is creating 1,040 direct jobs and 190 indirect jobs.

Furthermore, it is pleasing to see that South Australian companies are getting their fair share of the work. Eighty-seven per cent of the contracts awarded for work on the project have gone to South Australian businesses. Twenty-six per cent of those businesses are located in the south. The government is committed to having high levels of local employment and it is pleasing to

see this project meet our ambitious target of 50 per cent of workers being employed in the southern regions of Adelaide throughout 2012.

Unfortunately, not everyone shares this ambition of ours. The opposition thinks this money is creating false economies. Maybe you should tell that to the thousand workers on the site if you have the courage. Maybe you should tell—

The SPEAKER: The minister will be seated. The minister is debating the question, and he is not responsible to the house for the policies of the opposition.

Mr Pederick: Chuck him out.

The SPEAKER: While I consider that, the member for Unley.

CHILD PROTECTION

Mr PISONI (Unley) (14:39): My question is to the Minister for Education and Child Development. Are teachers and others who come into contact with children in public schools screened every three years as per the government's policy on screening and criminal history checks?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:39): It is my understanding that to be registered to be a teacher you have to undergo a criminal history check every three years.

An honourable member interjecting:

The Hon. J.M. RANKINE: My understanding is you are not registered as a teacher; that is managed by the Teachers Registration Board and it is a requirement of the board for registration as a teacher.

CLIPSAL 500

The Hon. M.J. WRIGHT (Lee) (14:40): My question is to the Minister for Tourism. Can the minister inform the house of the success of the Clipsal 500?

Mr VAN HOLST PELLEKAAN: Point of order 97, the question contained argument.

The SPEAKER: It certainly did. Perhaps the member for Lee might want to take the tip provided by the member for Port Adelaide on how to remove comment from some questions. While I consult the member for Lee about that particular amending device, I call the member for Ramsay.

ADELAIDE THEATRES

Ms BETTISON (Ramsay) (14:41): My question is to the Minister Assisting the Minister for the Arts. Can the minister inform the house about the 2013 anniversary celebrations relating to both Her Majesty's Theatre and the Adelaide Festival Centre?

The SPEAKER: The Minister Assisting the Minister for the Arts, who has already been called to order once today, but go ahead.

The Hon. C.C. FOX (Bright—Minister for Transport Services, Minister Assisting the Minister for the Arts) (14:41): I thank the member for Ramsay for her question. I know that she has a deep and abiding interest in the arts and I am sure that she is participating enthusiastically in the current cultural activities of this month. I had the privilege of launching the Adelaide Festival Centre's 40th anniversary and Her Majesty's Theatre's 100th anniversary last week. It has been 40 years since the Adelaide Festival Centre was built and on the night that it was built Gough Whitlam said to the crowd that was gathered there, 'This building, this magnificent achievement', and his words were correct because the last 40 years have been an extraordinary cultural landmark in this city as a result of that centre.

The anniversaries for both of these places was a wonderful evening, really enjoyable. We also discussed, with some interest, the past of Her Majesty's Theatre. I do not know how many people here are aware, because I do not think anybody here was actually alive in 1913 (although sometimes it feels that they were), that in 1913 when Her Majesty's Theatre opened it was actually much larger. It currently has a false ceiling which holds an enormous part of the theatre which is still there today. So, if you ever have an opportunity to climb into the roof and take a look at it, it is still very Edwardian and very beautiful, an extraordinary thing to celebrate. The person who performed on that inaugural night in 1913 was Lillie Langtry, who was a famous actress in her own right. She was 60 then but still very vibrant.

The Adelaide Festival Centre is doing extremely well these days. Over the past five years the team at the Adelaide Festival Centre has increased its venue use from 55 per cent to 82 per cent, meaning that in the past four years the Adelaide Festival Centre has been solidly in the black. It has been doing an outstanding job. Those people are central to this government's vision of creating communities that are energetic and dynamic places to live, work, play and visit. It is a crucial part of our nation's cultural capital and on that night in 1973 Gough Whitlam was right when he said of that theatre that it would be an inspiration for the whole of Australia.

CHILD PROTECTION

Mr PISONI (Unley) (14:44): I will try again with the Minister for Education and Child Development. Are those other than teachers, such as volunteers and contractors, who come into regular contact with children in public schools screened every three years as per the government's policy on screening and criminal history checks?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:44): I expect that the member for Unley is referring to an article that was in today's paper, and I think it was confirmed by the principals association that principals absolutely know the requirements that need to be done in relation to those people who have regular contact with students in our schools and who are not teachers.

CHILD PROTECTION

Mr PISONI (Unley) (14:45): Point of order—supplementary if I may, sir.

The SPEAKER: Well, which is it?

Mr PISONI: It's a supplementary.

The SPEAKER: Thank you.

Mr PISONI: Give me a bit of time, Mr Speaker.

Mr Hamilton-Smith: It's a supplementary point of order, sir.

Mr PISONI: Yes, exactly. Is the minister able to tell the house that her department monitors the process of screening every three years for volunteers, contractors and others who are in regular contact with children?

The SPEAKER: That is not a supplementary question, but the Minister for Education.

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:45): I would expect that that is the responsibility of principals, but I am happy to check that and come back to the house.

An honourable member interjecting:

The Hon. J.M. RANKINE: You want local autonomy; this is one of the things that principals have autonomy over.

The SPEAKER: Minister, I am not the slightest bit interested in local autonomy.

CLIPSAL 500

The Hon. M.J. WRIGHT (Lee) (14:46): My question is to the Minister for Tourism. Can the minister inform the house of the success or otherwise of the Clipsal 500?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (14:46): I thank the member for Lee for his question and I am happy to report that it is all success and not otherwise. The Clipsal 500 was a fantastic event again this year and I would like to thank all those people who were involved in putting on a great show: from the Motor Sport Board through to the Confederation of Australian Motor Sport, the volunteers who were out there as marshals, and all the other jobs that needed to be done to put on such a successful event.

This year's total crowd over the four days was 286,500, which was up on last year's figure by about 23,000; it fell just short of the all-time record of 291,400 back in 2008, but those of us who were there on Sunday know that the full house signs went up midway through the afternoon as the capacity crowd hit 95,000. It was tremendous to see some spirited racing out on the track. Of course, this year for the first time we welcomed Nissan and Mercedes to join the Ford and Holden armies of supporters. As a hometown Holden fan, it was great to see Holden's success out there.

As well as being a wonderful sporting event, of course there is lots of great music that goes with the Clipsal 500, including the local favourites the Hilltop Hoods, and the big concert on Sunday night with the Kiss concert. I hear that about 40,000 people went down there; I was following it on Facebook. I caught up with the member for Hammond today, who is probably the biggest Kiss fan in this place. Thirty-three years ago he was at the Unmasked Kiss concert at Adelaide Oval, Kiss's first Australian tour. I pay tribute to the member for Hammond for his great patronage of the Kiss concert, as well as the Clipsal.

The wonderful thing about Clipsal is that it sells out most hotel rooms in Adelaide—in fact, nearly all the hotel rooms in Adelaide—and it gives those hotel operators the opportunity to charge a premium. As tourism minister, I am keen to see that we have thousands of people coming from interstate to enjoy Adelaide and the carnival atmosphere that we have here, because you walk outside the track and you have festivals happening everywhere. People were telling me that they came from Melbourne, Sydney and Brisbane and they were just loving the fact that everything was in the one place, and they really appreciated the fact that South Australians are so warm and welcoming.

I have just been up the mall at lunchtime to talk to some of the people who are here on the big cruise ship and the same thing—from Europe and the States—they are saying is that Adelaide is a tremendously clean city and that they have had a wonderful warm welcome here. To everyone involved in Clipsal and to anyone who has been welcoming people to our great state over the past month, continue the good work; we have WOMAD this weekend and plenty more festivals to come.

CHILD PROTECTION

Mr PISONI (Unley) (14:50): My question is to the Minister for Education and Child Development. When was the minister first advised of the investigation into the teacher who was arrested last Thursday for the alleged rape of a 10 year old and the production of child pornography?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:50): I was advised about this particular teacher and investigation into him about 10 days, I think it was, prior to police notifying the Department for Education and Child Development of the very serious charges that were going to be laid against him. So, at that time we were talking about a letter that was to go out to parents—an update letter, the second letter—whose children this person had taught.

CHILD PROTECTION

Mr PISONI (Unley) (14:50): Supplementary question, if I may, sir. So was that in November of last year or the second letter that the school received—

The SPEAKER: That's not a supplementary—

Mr PISONI: —just three weeks ago?

The SPEAKER: That's not a supplementary. In fact, I think I've been more than fair on supplementaries; so, member for Florey.

AVALON AIRSHOW

Ms BEDFORD (Florey) (14:51): My question is to the Minister for Defence Industries. Can the minister tell the house about South Australia's representation at the Australian International Airshow and Aerospace and Defence Exposition 2013, which was held in Avalon Victoria last week?

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) (14:51): I thank the member for Florey for her keen interest in this area. Defence is a critical industry for this state, and the growth of advanced manufacturing in the aerospace sector forms a key part of the state's advanced manufacturing division.

The aerospace and defence exposition in Avalon is the largest civil and military aviation and aerospace trade show in the Southern Hemisphere. It serves to promote the development of Australia's aviation and aerospace industries. As well as providing a showcase for Australian companies, Avalon 2013 provided the platform for a program of conferences, workshops, seminars and events designed to provide networking, sales and business development opportunities for all industry participants.

Avalon 2013 provided the opportunity to promote South Australia as the focus for national intelligence and surveillance capabilities, building on Defence's existing capabilities at Edinburgh, the major centre for advanced aerospace component manufacturing and metal processing within Australia's national aerospace manufacturing capability, the location for increased national and international military tests and training activity, the hub for military simulation concept development and solution engineering, and the ideal environment to establish or relocate additional defence and ADF units in South Australia.

South Australia was well represented at Avalon 2013, with a strong delegation of local industry promoting their capabilities to national and international delegates and active involvement by members of the high-level Defence SA Advisory Board chaired by General Peter Cosgrove ACNC. During Avalon 2013, I spoke with senior leaders from a number of national and international defence companies as well as a raft of defence personnel, including the Hon. Dr Mike Kelly AM, MP, Minister for Defence Materiel.

Can I conclude by congratulating Brighton Secondary School and Adelaide High School, who represented our state proudly when they took on their interstate counterparts in last week's F1 Schools Technology Challenge national final at the Avalon air show. Brighton Secondary School's team were yet again crowned national champions, and I am sure all members will wish them well when they represent Australia at the world final in our sister city of Austin, Texas in November later this year.

CHILD PROTECTION

Mr PISONI (Unley) (14:53): My question is to the Minister for Education and Child Development. In relation to the teacher who was charged with child rape and pornography offences last Thursday, can the minister advise at how many other schools this teacher had worked, and does the minister have letters ready to inform those parents?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:54): I will get that detail for the member for Unley, if that is available but, as I understand it, this person has been employed since 2000.

Mr Hamilton-Smith: Are you asking him or telling him?

The Hon. J.M. RANKINE: No, I'm telling him. I understand he has been employed since the year 2000. I am happy to get that information.

FORESTRY REPORT

Mr PEGLER (Mount Gambier) (14:54): My question is to the Minister for Manufacturing, Innovation and Trade. Can the minister inform the house about the release of the report by the VTT Technical Research Centre into the forestry industry on the Limestone Coast in Mount Gambier today?

The Hon. T.R. KENYON (Newland—Minister for Manufacturing, Innovation and Trade, Minister for Small Business) (14:54): As it happens, I can, and I also take this moment to thank the member for Mount Gambier for his deep interest and advocacy on behalf of his constituents and the industry in the South-East, because there is hardly a more steadfast proponent of the industry or a more steadfast advocate for the industry in the South-East than the member for Mount Gambier.

The VTT Technical Research Centre of Finland has been engaged by DMITRE through Regional Development Australia to undertake a study of the cellulose fibre industry in the Limestone Coast area. I was pleased to be able to travel to Mount Gambier for the release of their stage 1 report for final consultation this morning. In launching stage 1 of the study, VTT set out today how the forestry industry can be transformed in the Limestone Coast region so that it generates more value-adding to the economy.

Over half—in fact, 52 per cent—of South Australia's softwood harvestings are processed into woodchips and paper. This is a very low level of value-adding and the study aims to address this and the vulnerability of the industry due to cost challenges internationally. That is why this study is an important project for South Australia's economy. Developing higher-value forestry products is the key to creating a sustainable future for the forestry industry.

The report provides a snapshot of how the industry is performing now, and VTT has outlined a detailed set of industry findings, including that there is a general agreement on the need to renew the industry; in the absence of a pulp mill in the Mount Gambier area, the use of chips and

sawdust for bioenergy, biochemical or biomaterial generation should be given serious consideration; the future of the industry should not be based on a low Australian dollar; raw material in the Green Triangle is cheaper than corresponding material in Scandinavia; average sale prices in Australia for sawn timber appear higher than prices in northern Europe; low profitability in Australia appears to be linked to poorer yield for average-sized logs; the industry has not been implementing modern process technologies; and a more highly trained workforce is necessary to improve industry profitability.

The study highlighted that, to continue to provide strong business opportunities and secure employment, it must change. It sets out how the industry can improve with the introduction of greater efficiencies, better use of technology and diversification into new high-value production and supply chains. It addresses the potential for international investment in this industry and where it might come from. The study was assisted by interviews with more than 20 industry groups and I was also pleased to meet with industry leaders both yesterday and this morning. I also met with key local government leaders who will be important in assisting the industry to meet these challenges.

I was also pleased to announce in Mount Gambier this morning that, due to the success of stage 1, the South Australian government and the commonwealth government have reached an agreement on a \$580,000 package to fund stage 2 of this study. This co-investment package includes a \$330,000 commitment from the state government and a generous \$250,000 contribution from our commonwealth counterparts. This brings the total investment in this study to more than \$1 million, with \$500,000 already committed under the state government's Manufacturing Works strategy for stage 1.

Stage 2 will now take the work of stage 1 forward into a more detailed road map for the industry. This will involve an analysis of local industry readiness to take up new technology, consultation with the industry globally (particularly in northern Europe), preparing a draft agenda for joint research and development projects, and policy recommendations to state government. I am advised that stage 2 is scheduled to conclude in June 2013. I look forward to receiving the stage 2 road map and working with the forestry industry and the Limestone Coast to deliver on it and build stronger businesses with better, more secure jobs.

CHILD PROTECTION

Mr PISONI (Unley) (14:58): My question is to the Minister for Education and Child Development. Why did it take three months for her department to inform the Catholic and independent schools sectors that a teacher was being investigated for serious child protection offences, when the memorandum of understanding between the sectors requires notification as soon as the education department becomes aware?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:59): This is a question that I cannot answer, because I do not have any detail about the case that the member for Unley is referring to. That is just a blanket question with no detail that I am sorry I cannot answer.

DISABILITY SERVICES

The Hon. J.D. HILL (Kaurana) (14:59): My question is to the Minister for Disabilities. Can the minister advise how the Spastic Centres of South Australia and the government are working together to improve the lives of people with disabilities?

Mr Marshall: SCOSA.

The Hon. A. PICCOLO (Light—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (15:59): The Spastic Centres of South Australia or, as the Leader of the Opposition says, SCOSA, is one of the most important non-government agencies in our state. They provide a range of services and support for people with disabilities.

In addition, SCOSA has a well-held tradition of developing and promoting the potential of people with disabilities through individual choice, community inclusion and meaningful participation. SCOSA predominantly provides services to client groups with very high needs that require more intensive support than other day option services. This includes significant intellectual and physical disability and also a number of clients with very high health needs.

Like many non-government service providers, SCOSA started from very humble beginnings, with a small group of parents in the western suburbs in 1950 unifying together to seek a better future for their intellectually disabled children. Today, SCOSA has grown to be the second-largest provider of day activity-based services in South Australia and currently provides services to approximately 360 clients.

The government currently provides SCOSA with annual grant funding of approximately \$3.8 million for learning and life skill option programs and a further \$2.8 million for participants who have an individualised day options allocation. SCOSA also makes a significant direct contribution with fund raising to their overall client service delivery.

A large portion of their funding contributes to the day-to-day running of SCOSA hubs, which support up to 350 clients each weekday. Last Wednesday, I was fortunate enough to be invited to observe the SCOSA patron—our state Governor—officially opening the newest SCOSA hub in the north-eastern suburbs at Wynn Vale. I also had the pleasure of being given a tour of the new facility by SCOSA CEO Nicole Graham, President Joanna Churchill, and also Ms Helena Gordon, who is one of the clients who will enjoy its benefits. The new Wynn Vale hub features a state-of-the-art sensory room, which provides clients with the opportunity to explore and develop their senses and skills.

There are 12 other hubs located throughout South Australia at Elizabeth Park, Gilles Plains, Newton, West Croydon, Thebarton, Mitcham, Hackham, Plympton, Woodville, Port Pirie, Blyth and, in my own electorate of Light, at Willaston. I would like to acknowledge the great work that the workers do. I would encourage members to organise a tour of their closest hub to learn more about how we can actually create a better standard of living for people with an intellectual disability. I wish to congratulate SCOSA on the opening of their latest hub at Wynn Vale and for their invaluable commitment to enhancing the lives of people with disabilities in South Australia.

CHILD PROTECTION

Mr PISONI (Unley) (15:02): My question is to the Minister for Education and Child Development. Why did it take three months for her department to inform the Catholic and independent schools that the teacher who was arrested last Thursday for the rape of a 10 year old and the production of child pornography offences was being investigated for serious child protection offences when a memorandum of understanding between the sectors requires notification as soon as the education department becomes aware?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:03): First and foremost, what I will do is check the assertions made by the member for Unley because—

Mr PISONI: Point of order.

The SPEAKER: I hope this is—

Mr PISONI: You cannot impute improper motives on other members of the chamber.

The SPEAKER: Strictly, member for Unley, you should go out under the sessional order, but I will give you one last warning. That was not a point of order and no improper motives were imputed to you. Incompetence may have been imputed but not improper motives. Minister.

The Hon. J.M. RANKINE: Thank you, sir. I just think it's prudent of me to check the assertions and claims being made by the member for Unley. We have heard in this place the misrepresentation of charges that have been laid against people, so I think it is—

Ms CHAPMAN: Point of order: now the minister is clearly imputing the motive and, in fact, reflecting on the member adversely on the basis—

The SPEAKER: What are the words?

Ms CHAPMAN: Clearly 'misrepresenting' to start with.

The SPEAKER: We say about each other that we are misrepresenting all the time. What is out of order is the allegation that we are misrepresenting deliberately. Has the minister finished?

The Hon. J.M. RANKINE: No, sir, I have not finished. It is only under this government that we have had protocols to inform the other school sectors about incidents that involve people who are employed in the education sector. It is under this government that child protection has been given a high priority. It is under this government that massive injections of funding have gone into

child protection, in employing social workers, improving accommodation, improving outcomes for children under guardianship and passing legislation that provided greater protection for children.

I will also point out to the member for Unley that, in this particular case, I am very limited about what information I can provide, at the direct instruction of the South Australia Police. One of the things that they were very clear about in correspondence to my office was that they stipulated that no child from the school community is at risk.

ADELAIDE HIGH SCHOOL

Ms THOMPSON (Reynell) (15:06): My question is also to the Minister for Education and Child Development. Can the minister provide an update to the house on the expansion of Adelaide High School?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:06): I thank the member for Reynell for her question. Over the years she has been a very strong advocate for public education, and I want to thank her for her ongoing interest and support. I am pleased to advise the construction management tender process to expand Adelaide High School is now complete and the contract has been awarded to Sarah Constructions. This \$20 million project will see capacity at the school increase by 250 to 1,450 students. Importantly, it will generate around 110 jobs. Preliminary work is underway, with construction expected to start in April, and I am advised the new building will be completed by June 2014, followed by refurbishment of existing buildings.

The expansion will deliver a new three-storey learning centre, an extension and refurbishment of an existing two-storey building, and additional refurbishments that will provide 31 modern teaching spaces. The new building will provide a new resource centre, science laboratories, drama space, general learning areas and a rooftop plaza. Every effort has been made to limit building on the Parklands, with underground parking spaces for 47 cars also part of the redevelopment. I want to thank the Adelaide City Council and the school's governing council for the constructive role they played in developing the plans.

This is the final of four projects to commence construction and increase capacity at some of Adelaide's most popular high schools. This \$70 million program will also increase the capacity at Glenunga International High School, Marryatville High and Brighton Secondary School. As a result of these expansions, the government will, in due course, announce plans regarding school zones in the surrounding areas. The Department for Education and Child Development now has around \$336 million worth of infrastructure projects underway.

A further \$32 million is being committed for additional school maintenance. I am told this is generating approximately 2,000 jobs. I understand that as well as delivering a number of Building the Education Revolution projects, Sarah Constructions built the Seaford 6-12 Trade Training Centre, and I congratulate them on winning the tender and wish them well with the Adelaide High build. As with the Building the Education Revolution, not only do we improve the quality of our schools, but in the process we create jobs, as well as a bright future for young South Australians.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Before I take the supplementary, the Minister for Transport is not only called to order; he is warned for the first time.

ADELAIDE HIGH SCHOOL

Ms SANDERSON (Adelaide) (15:09): I have a supplementary question: when will the school zoning for Adelaide High be announced? I know you said in due course, but when will that be?

The SPEAKER: I do not think that that is a supplementary—but, minister.

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:09): Thank you, sir. As soon as the work is completed.

CHILD PROTECTION

Dr McFETRIDGE (Morphett) (15:09): My question is to the Minister for Communities and Social Inclusion. Has the minister been briefed on the screening processes within his department for undertaking criminal history checks for teachers and education department staff, and is he satisfied that teachers with a criminal history will be identified?

The Hon. A. PICCOLO (Light—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (15:10): I thank the member for that very important question. In answer to the first part of the question, yes, I have been briefed. Secondly, I am satisfied that, as part of the audit recently undertaken, we are more than likely to identify any person who perhaps should not be appropriately employed in a school.

GOVERNMENT INVOICES AND ACCOUNTS

The Hon. P. CAICA (Colton) (15:10): Can the Minister for Finance inform the house of what is being done to improve the payment of government invoices to small business operators?

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:10): I thank the member for Colton for his question. I am pleased to inform the house that next week the government will launch a new website for small business operators to track the progress of their invoices to government agencies. This initiative will significantly improve the flow of information to small businesses about where their invoices are in the system, and the status of those invoices. An estimated time of payment will also be provided—

Members interjecting:

The Hon. M.F. O'BRIEN: Just wait; I've got a little bit for you. Additionally, the payment performance of each agency, as set out in monthly reports, will be available to the public on this website. The 'My Invoice' web portal was a recommendation from the review I commissioned last year by internal consultant, Warren McCann. The government accepted all of Mr McCann's recommendations, including a prompt payments act, which will be introduced to parliament in the near future. The act will include provision for penalty interest to be paid if an invoice is not paid within 30 days.

The government has significantly improved its payment performance since the McCann recommendations have been progressively implemented. Latest reports for the first half of this financial year show 95 per cent of state government invoices (non-health) are being paid within 30 days; an improvement of 5 per cent, compared to 2011. Since the implementation of the McCann reforms, the number of non-health late payments (that is, outside 30 days) has more than halved. SA Health's performance will improve further when IT upgrades are made over the next 18 months.

The government's payment performance has been a matter of public and media interest for over a year now. The opposition considers it an important issue; indeed, the new Leader of the Opposition made it his first policy announcement. The leader committed the Liberal opposition to paying a penalty after 60 days of non-payment.

This is not the time or place for debate, and I acknowledge that; however, I would like to correct the record. The leader appeared at a press conference with a businesswoman from Kent Town, Ms Sharon Rundle-Smith, who claimed her business was nearly ruined by the alleged late payment of government accounts.

I asked Shared Services to review the payments made to all businesses associated with Ms Rundle-Smith. The company which appears to be Ms Rundle-Smith's primary business vehicle is Total Secure Scan. I am advised that Total Secure Scan invoiced the government 20 times between November 2011 and October 2012. Nine invoices were paid within 30 days, and another nine of these invoices were paid in less than 40 days, but mostly a day or two late. The two remaining were paid 14 and 18 days outside the 30 days.

None of these invoices were paid later than 60 days. Ms Rundle-Smith, the star of the Leader of the Opposition's first policy foray, would not have benefited from the Liberals' policy to pay penalty interest after 60 days—

Members interjecting:

The Hon. M.F. O'BRIEN: —because the government had paid all of her invoices within the 60 days. The shame—

Members interjecting:

The Hon. M.F. O'BRIEN: The shamefaced exaggeration associated with this policy launch aside—

Mr Marshall: Why would you poke fun at a small business?

The Hon. M.F. O'BRIEN: This, you'll enjoy—

Members interjecting:

The SPEAKER: Has the minister finished?

The Hon. M.F. O'BRIEN: —perhaps the most revealing thing in all of this is that Ms Rundle-Smith lists Tony Abbott as a 'like' on her Facebook page; she is a Liberal stooge!

Members interjecting:

The SPEAKER: Excuse me. I warn the leader and the Minister for Transport for the second time. There will be no further warnings. The member for Bragg.

GROWTH INVESTIGATION AREAS REPORT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:15): My question is to the Minister for Planning. Will the minister now release the Growth Investigation Areas project report as recommended by the Ombudsman in his report tabled today?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (15:15): I thank the honourable member for her question. When I have had the opportunity to read and fully consider this important document provided by the Ombudsman, I will obviously turn my attention to everything that he recommends and in the fullness of time make a decision about what I will do. I am reminded, though, of an old proverb—I think it has its origin with Confucius—that says that you can go to Mount Lofty seeking a vision, and only get a view.

UNIVERSITY ADMISSION OFFERS

Mr ODENWALDER (Little Para) (15:16): My question is to the Minister for Employment, Higher Education and Skills. Could the minister advise the house how many students have been made offers to go to one of our three South Australian universities this year now that the final round of offers have been made?

The Hon. G. PORTOLESI (Hartley—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy) (15:16): I thank the member for Little Para for this question. This is a very exciting time for many thousands of young South Australians, and, like me, I have no doubt that all members are aware of young people in their communities or in their family who finished school last year and had been waiting to find out if they were accepted into an undergraduate course at either Flinders, the University of South Australia or the University of Adelaide.

I am sure that all members agree that we are very fortunate to have three outstanding public universities in South Australia that offer world-class teaching and research opportunities for people of all ages and backgrounds. In recent weeks, I have become even more aware of just how effective our major universities are in working closely with other research institutions and with industry, importantly, providing students with the best educational opportunities and experiences.

I can advise that SATAC, the South Australian Tertiary Admissions Centre, recently made 19,120 offers to students to study undergraduate courses at these three universities. Whilst this is a slight increase on last year's offers, I am particularly pleased to note that there have been some significant increases in students taking up studies of strategic importance to our state. For instance, the biggest growth has been in the natural and physical sciences courses. There were 1,869 offers or thereabouts made for these fields of study, a more than 13 per cent increase compared to last year.

In fact, I am very pleased to note that of the total offers, more than 18 per cent were in courses related to STEM (that is science, technology, engineering and maths), a 5.1 per cent increase on last year. This is a fantastic result. I am very pleased that more and more students are looking to the sciences and related fields, because science skills and knowledge are critical to our state's long-term future as a smart, capable and innovative place for the future.

Our vision for South Australia is an ambitious one. We want to see highly skilled, productive jobs in areas like advanced manufacturing and food processing. We want to preserve our state's position as a world leader in agricultural and biomedical research, and I am heartened

to see that more young people are taking up the opportunities that these subjects will afford them. I take this opportunity to commend our three major universities.

In fact, I would like to take this opportunity to welcome very formally the new Vice-Chancellor of the University of South Australia, Professor David Lloyd, who has recently joined us I think from Trinity College in Dublin. I have had the opportunity to catch up with him, and South Australia is abuzz with his entree into this sector.

The SPEAKER: The member for Morphett gets the 15th question of the day.

CHILD PROTECTION

Dr McFETRIDGE (Morphett) (15:20): And it is a good question, too, like the other 14. My question is to the Minister for Communities and Social Inclusion. Following the minister's briefing in screening processes in his department, can he tell the house what were the qualifications and experience of the officer in his department who was responsible for the clearance being given to the youth worker charged with unlawful sexual intercourse after previously having been charged with indecent behaviour?

The Hon. A. PICCOLO (Light—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (15:20): Unfortunately, I do not have that information to hand and I am happy to obtain it for the member.

VOCATIONAL EDUCATION AND TRAINING

Mr PISONI (Unley) (15:20): My question is to the Minister for Employment, Higher Education and Skills. Following the launch of Skills for All last year, why does South Australia now have the lowest number of people commencing training in 14 years? I seek leave to insert statistical data into *Hansard* to substantiate my question.

The SPEAKER: Is leave granted?

Honourable members: No.

The SPEAKER: I heard a voice in opposition, so it is not granted. Minister.

The Hon. G. PORTOLESI (Hartley—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy) (15:21): This government absolutely recognises and acknowledges how important education and training—they're walking out—and skill development are to ensuring that all—

Members interjecting:

The Hon. G. PORTOLESI: He is unwell.

Mr PISONI: Mr Speaker, you have time and again said it was unparliamentary to make comments about members' movements within the chamber, and I ask that you remind the minister of your views.

The SPEAKER: Yes, the member for Unley is right: it is unparliamentary to make such remarks. It is a convention that we do not refer to each other's location in the chamber or whether or not we are in it. Minister.

The Hon. G. PORTOLESI: You are absolutely right, sir, and I apologise. Skills for All underpins the state government's commitment to increasing skill levels, lifting workplace participation and, of course, increasing productivity by offering training for South Australians. The training figures released recently by the National Centre for Vocational Education Research relate to apprenticeship and traineeship numbers, and I am very pleased to report the following in relation to this.

In the last 12 months, South Australia has had the highest number of people commencing and completing apprenticeships and traineeships on record. As acknowledged by the NCVET in their report, recent changes to commonwealth incentive payments have resulted in activity being brought forward, and this has seen a drop-off in commencements in the September quarter in every state and territory. That has been acknowledged in the report.

I am very pleased to report that, under Skills for All, South Australia has seen a significant increase in the number of people accessing training. I have an interim figure which will be finalised later this month but, at this stage, I can report that it is a 26 per cent increase. That is an interim

figure, and I will need to confirm that. What I can say is that, contrary to the member's assertions, thousands more—around 14,000 South Australians—have taken up training since the introduction of Skills for All. In the TAFE sector alone, there are around 7,000 additional enrolments since the introduction—

The Hon. M.F. O'Brien: They've been busy.

The Hon. G. PORTOLESI: Yes, they have been very busy—of Skills for All. I commend Skills for All. I would like to acknowledge previous ministers, sitting here and over there—I shouldn't refer to their location. There is no question that our significant investments in our state in training and education are starting to bear real fruit. I commend Skills for All.

GRIEVANCE DEBATE

FIREARM OFFENCES

Mr VAN HOLST PELLEKAAN (Stuart) (15:25): Very sadly, I rise again to inform the house of the ongoing epidemic of shootings that are taking place in the streets and homes of South Australia. This started on New Year's Eve just gone with a murder at Warradale and has continued up to as recently as last Saturday night with a shooting into a house at Craigmore. We have had 18 shootings in total in South Australia since New Year's Eve. Let me be very clear, these are all illegal shootings. These are not accidental shootings. This does not include, for example, the unfortunate situation where a man in the South-East was shot accidentally with a rifle. These are, very clearly, illegal shootings where somebody is shooting a South Australian or shooting at a South Australian.

This alarming trend seems to continue unabated. Every three and a half days, on average, a South Australian is shot or shot at. We have 7 per cent of the nation's population in South Australia but, unfortunately, we have had 29 per cent of the nation's shootings since New Year's Eve, so more than four times our population's share. We would all understand very clearly that if things go roughly according to plan you would expect to have approximately 7 per cent of those sorts of things (ideally less) in our state, but we have had four times that: 7 per cent of the population but 29 per cent of all shootings are taking place in South Australia.

Let me compare that to some other states: New South Wales, with a population of nearly 7.3 million people, has only had 25 shootings. If you look at the per capita basis, in South Australia you are greater than five times more likely to be shot or shot at than all of the rest of the states and territories in Australia combined. Victoria, with a population of three and a half times as much as our population, has only had eight shootings compared to 18 so far in our state. This is an exceptionally alarming trend that has to be stopped. The police are doing absolutely everything they possibly can. The government must do more. The government has to do more.

On a per capita basis, people in Adelaide are 3.2 times more likely to be shot or shot at than people in Sydney. This is not something the government can sweep under the carpet. South Australians are more likely to be shot or shot at than in any other territory or state in the nation. If we look at shootings per capita, in South Australia we have 10.9 shootings per million people, while the rest of the nation has 2.1 per million people. It is completely unacceptable.

As the Hon. Stephen Wade, shadow attorney-general, has pointed out, this government has announced firearm law reforms in 2006, 2007, 2008 and again in 2012 and yet nothing is happening. The average of shootings per year for the past five years reported is 44 per year. If we continue on at the rate that we are on at the moment we will have in excess of 100 this year. So, the government's firearm law reforms are just not working. More than 2,300 new offences have been created in the past decade. They are not working because we are on track to actually have more than twice the annual average in South Australia compared to the last five years.

I turn now to the national anti-gang taskforce that has just been set up at \$64 million. It will be made up of up to 70 members from the Australian Federal Police and state police forces, but guess what, these strike teams will be established in Sydney, Melbourne and Brisbane, not in South Australia. Strike teams will be supported by physical technical surveillance teams in Sydney and Melbourne, but not in South Australia.

I ask very sincerely: can the government please explain why this national task force is not being set up in South Australia when we clearly have the biggest problem of all the states and territories in this area? Has the government or the minister even lobbied the federal government for this issue in South Australia? We had the police commissioner, who does the very best he can with

the resources he gets from the government, saying that he was only advised a few hours before the announcement. The government is not doing enough in this area.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (15:30): I could not allow the previous contribution to go by without some response. There are a few points I would like to make about all of this which are, I think, relevant. The first thing is that the honourable member in his remarks has said that 'the police are doing all they can', so there is no blame on the police and no problem with the police.

He then performs an act of statistical regurgitation about percentages of this and percentages of that, how many here and how many there compared to South Australia and other states. It is all very interesting, especially when you look at particular sample periods. It is a well-known fact that you can achieve any particular purpose you wish using statistics if you are careful enough about the way you draw your sample periods, but leave that to one side.

The honourable member says the Commissioner of Police is doing everything the commissioner can and he calls on the government to do something in addition. Bear in mind that the government, in the form of the ministers and the members of parliament, is not able to go out on the streets and personally arrest people. The government is not able to do any of those things, so precisely what the government can do remains a mystery because, like everything we hear from this opposition, there is a lot of whingeing and whining but there is not one single policy put forward.

The Hon. Stephen Wade has managed single-handedly to either block or castrate umpteen pieces of legislation put forward by this government since the beginning of this term on the basis of spurious issues. In the end, he had to be humiliated by the South Australia Police into actually agreeing to things—for example, criminal intelligence, which he held up for two years. They do not take any responsibility for that. Not only are they a policy-free zone but they take great pleasure in prohibiting the government using the parliament to actually change the legislation in a constructive way, as requested by the police.

Guess what? We are going to see the same thing happen right now on this day, but I cannot go into the detail because it is against standing orders. My challenge to the opposition and, in particular, the honourable member is this: if the opposition say the legislation is defective, can they just for once, instead of being an apologist for criminals, as they usually are, by pulling all—

Mr VAN HOLST PELLEKAAN: Point of order: standing orders 126 and 127.

The DEPUTY SPEAKER: I will listen carefully to the member.

Mr VAN HOLST PELLEKAAN: I ask that the minister retract and apologise for calling members of the opposition 'apologists for criminals'.

The Hon. J.R. RAU: I will explain why I say that: because every time we have put legislation into this parliament designed to clamp down on criminals and make their lives difficult, the opposition, and in particular the Hon. Stephen Wade in the other place, take great pleasure in pulling all the teeth out of the legislation so that it is ineffective.

Mr GARDNER: Point of order: 127 does not give the minister the opportunity to argue why something might be the case. It specifically states that a member may not make personal reflections on any other member. The minister should withdraw, apologise and move on.

The Hon. J.R. RAU: So—

The DEPUTY SPEAKER: Hold on please. Obviously there has been a case of taking objection to what the minister said. If the minister so chooses, he can withdraw all that. I am not actually ordering him to do so, I am just offering him the opportunity.

The Hon. J.R. RAU: Thank you. I have said nothing that I consider to be offensive, because it is all entirely accurate. The removal of—

Mr VAN HOLST PELLEKAAN: Point of order: again I take offence at that. It is not accurate to say that anybody in the opposition is an apologist for criminals. The Attorney-General can put his comments towards debate in parliament and different views about laws, but saying that anybody on this side is an apologist for a criminal is offensive.

The DEPUTY SPEAKER: As the member for Stuart would be aware, I have already ruled on that and have given the opportunity to the minister, and the minister is continuing his remarks.

The Hon. J.R. RAU: And isn't it a shame—this is obviously discomfiting them so much they keep having to put up spurious interjections in order to occupy time which otherwise would be devoted to actually drawing the attention of the parliament to the fact that the opposition has steadfastly for the last three and a bit years opposed every single criminal measure the government has put up by pulling the teeth out of it. It is only when they have been embarrassed by SAPOL or the police association into doing otherwise that they have relented.

Time expired.

WORKCOVER

Mr VENNING (Schubert) (15:35): The South Australian WorkCover scheme is the worst performing in Australia. The unfunded liability has blown out to more than \$1.3 billion. Our return to work rates are the worst in the nation and our levies are the highest. It is an absolute disgrace and it is continuing. One sector experiencing extreme difficulties with meeting ever increasing WorkCover levies is the aged care industry, especially now that the levies are calculated on the 'experience rating scheme', enacted on 1 July, where more emphasis is put on claims experience.

The aged care sector does experience probably a higher level of claims than other industries. There is a lot of manual handling work and facilities often have staff that fall within the older age bracket. As such, strains, injuries and wear and tear injuries are not uncommon. I have several excellent aged care facilities and providers in the Schubert electorate, particularly in the Barossa Valley, who do a fantastic job.

I have been in contact with some of the larger providers. They have all expressed their extreme concern about the increases to their WorkCover levies and, as a result, their viability into the future. One case that has been brought to my attention is a provider who currently pays more than \$500,000 per annum in WorkCover levies. The premium is higher than the total WorkCover claims this particular facility has had over the past four years. The forecast this facility has been given for their levy liability into the future is that it will blow out to \$1 million by 2016. This is simply not sustainable. This particular facility averages between 10 per cent and 20 per cent of that in claims per year.

How can such a levy increase be justified? I know of several aged care facilities that are struggling to meet their current premiums. What do they do when they are forecast to increase so much? Every increase to the WorkCover levy has to be funded from somewhere. Fees to residents cannot be increased as they are regulated. Federal government subsidies to aged care facilities are not increasing to meet ever rising costs, so it is largely the capital account that gets impacted, which means the facilities cannot upgrade or expand as they may have planned. I have been in contact with another facility and the management said to me, and I quote:

The WorkCover scheme appears to have failed miserably at all levels. The scheme is significantly underfunded as a result of bureaucratic ineptitude over a number of years; administrative costs have escalated; a reduction in work injuries as a result of the scheme is questionable; and any evidence of a real improvement in the rate of return to work by injured workers has not materialised.

I could not have said it better myself. We have an ageing population (and I look in the mirror often), and there will be an increased demand for aged care facilities in the not too distant future, and it is ever rising as we all know. The government needs to be supporting these facilities to continue and expand—not levying them out of existence. Some aged care facilities have indicated that the only way they will be able to cope with such hefty increases is to reduce the quality and level of services available to our elderly.

The Labor government should hang their head in shame; this is an absolute disgrace. Jobs will be lost because of the increasing financial burden aged care facilities have to meet, which increases the risk of further injuries to staff with increased workloads. I have written to the minister about this most serious issue but to date have not received a response.

I also understand the aged and community care association is working on this issue on behalf of the industry. I sincerely hope a solution can be found soon. Perhaps the industry needs to investigate a self-insurance scheme similar to the local government and move away from the WorkCover scheme altogether. The aged-care sector is paying for Labor's decade of mismanagement of the WorkCover scheme—\$1.3 billion and counting. WorkCover under Labor is a debacle.

CLEAN UP AUSTRALIA DAY

Dr CLOSE (Port Adelaide) (15:40): Every year Clean Up Australia Day rolls around, and every year I have two reactions to it. One is that it is a great day to get out into our community with our neighbours and tidy up our environment. The other is that we should probably be doing this more than once a year, and many excellent volunteers are doing just that. I refer to people like Renata, living on the Lefevre Peninsula. Every Sunday she gets out with a small group of people and picks up litter thrown from cars and trucks along Victoria Road, but for many people Clean Up Australia Day is a reminder that we are responsible for the environment around us.

Mawson Lakes Environment Watch—a group I have praised before in this place—arranged a huge effort in Mawson Lakes on Sunday, ably joined by other groups like the local Scouts and Cubs. Their haul was some 75 bags, which is staggering considering how tidy and clean Mawson Lakes looks all year round. In the Port Adelaide area, my office arranged a clean-up at Cruikshank's Corner, under the Diver Derrick Bridge and around the area where the boat launch beach was recently put in and where the inaugural Rowing Regatta was held on Australia Day. Our haul included various items of clothing, a flotation device and the seemingly inevitable collection of plastics and butts.

What fascinates me is what people choose to throw away, and how it varies across the country. There is not yet a report for Sunday's clean-up, but last year's makes interesting reading. In South Australia, there is only one variety of drink container in the top 10, and that represented only 3 per cent of the litter picked up. It is not possible for me to tell from that report whether those drink containers are the sort that do not attract the deposit, but I certainly saw lots of thrown-away coffee and soft drink cup containers on the weekend at both sites. In contrast, across Australia, drink containers of various sorts are the second, third, sixth and ninth in the top 10, with a cumulative percentage of 19.

It is inescapable that our container deposit of 10¢ has made an enormous difference to the decision made by people about whether they will toss or recycle their drink containers. I call upon businesses that provide disposable food and drink containers to consider how they can take responsibility for the fate of those containers after they leave their premises. A reward from the businesses for containers returned might be a good plan. There is no worse advertising than seeing fast-food containers strewn about our beautiful city.

REGIONAL TELEVISION SERVICES

Mr WHETSTONE (Chaffey) (15:42): I rise today to speak on the WIN Television closure—

Mr Venning: Shame!

Mr WHETSTONE: —of news services both in the Riverland and down at Mount Gambier and, as the member for Schubert says, it is an absolute shame. This announcement was made despite the broadcaster being part of the government's \$34 million package to help regional broadcasters upgrade to digital and add new channels. Sadly, it has been reported that 10 staff will be made redundant due to cost restraints. This news service has been an important conduit to the regions for 30-plus years and, as the decision stands, it is a sad day for regional South Australia.

On Wednesday of the last sitting week, I met with the Premier, the Minister for Regional Development (Hon. Ms Gago) and the member for Mount Gambier (Don Pegler MP) on this issue. Both the Premier and Minister Gago offered nothing to the discussion—sadly, not even an offer to lobby their federal cousins to look at viable options. Minister Gago has even gone as far as putting articles in my local papers in the Riverland and said that I had offered nothing.

To set the record straight, I would like to tell the house that I have written to ACMA seeking WIN's licence obligations. I have drafted letters to the regional commercial broadcasters seeking their intent, as WIN's licence will expire in August 2014. I have also contacted Senator Anne Ruston, who sits on the Senate Environment and Communications References Committee, to examine the ABC's obligation to provide a local news service. The committee is already conducting an inquiry into the ABC's commitment to regional diversity nationally, which would also have a huge impact on regional representation here in South Australia.

I do take this issue seriously. Unlike minister Gago and the Premier, I have done as any good local member should do and shown a proactive approach. The discontinuation of the WIN regional news service will have a real impact on the region knowing what is happening in the

region. The news service has been a fantastic conduit for knowing local issues and knowing exactly what is happening within the region.

WIN TV has halved the news service over the last number of years, sharing that news service between the Mount Gambier service and the Riverland service, and it did come with its criticism but people accepted the decision. That cost-cutting exercise still provided that conduit to the regions to learn exactly what was going on within the communities.

For WIN TV to walk away is a sad indictment on the region, but for the Premier and the minister to politicise this issue and then go to my constituents and say that I have offered nothing, I think is nothing short of typical of a minister who is out of her depth. The minister has again misrepresented me as the local member in Chaffey, as she has done many times in the last month, and I think it is time that she was given a brief.

The minister has again misrepresented me to my constituents and I have taken offence. I have responded in the media, and I will continue to respond in the media when a minister comes out there and gives false allegations about an MP who has given representation to their people.

RETIREMENT VILLAGES

The Hon. S.W. KEY (Ashford) (15:46): First of all, I would just like to acknowledge that, this week, we celebrate 101 years of International Women's Day—I think that is on Friday. Also, the local International Women's Day Committee that organises the lunch, I am told, is 75 years old this week, so it is quite a milestone in South Australia.

In early 2000, I met with the now past president of the South Australian Retirement Villages Association Inc., Joan Stone, who forecasted the need for refocusing on the retirement village industry. This has been echoed by the current South Australian Retirement Villages Association.

I deliberately use the word 'industry' as the retirement village accommodation area has now changed considerably, particularly over the last 2½ decades. We have gone from mainly not-for-profit charitable church villages to house, in the main, widows and the vulnerable to, in many cases, big business, big developers, resort-style living and overseas investors. Many of the current players in the retirement village area are now big developers with a responsibility to shareholders to make a profit.

The 1987 Retirement Villages Act talks about providing a balance between the rights and responsibilities of residents of retirement villages and administering authorities of retirement villages. While I have heard from constituents—both residents and owners—in the metropolitan area, particularly in the retirement villages area, I am also told that these issues are being mirrored in country areas.

Some of the issues that have been raised with me are the need for expanded consumer protection and the use of plain English and clear contracts. I do not know what happened to the plain English debate, but I think we should bring it back in a whole lot of areas—certainly in this one—and maybe there needs to be standard contracts in the retirement village area. I do not know if anyone has seen a retirement village contract, but sometimes it can be anything up to 90 pages, so I think that that obviously needs to be looked at.

The need to access legal advice has also been raised with me, particularly with regard to residents looking at these huge contracts and recognising the fact that there is quite often an unequal bargaining position for residents, as opposed to the people who run not all but some of these retirement villages.

There are questions raised about the charges for supply services, maintenance, and remarketing costs, and this is a really big issue not only for people who go into retirement villages but also for the people who get left to move out of those facilities, whether it be family or people who are benefitting from the estate of the residents in the retirement village. With capital equipment replacement funds, most of these are uncapped, and I have seen some amazing differences in the arrangements that are put in place with regard to capital item replacement.

Also, there are questions about the need for transparency and accountability in management costs and, also, that old chestnut, the resident's right to be consulted about major things that happen in their retirement village in their location. There is also the issue of exit fees, and very simple things like the rectification of building faults and maintenance—just getting things fixed. A number of constituents have talked to me about the frustration that they have had in trying

to get things fixed. There are also the issues of dispute resolution, mediation prior to tribunal hearings and the need for the regulations to be updated.

PARLIAMENTARY COMMITTEES

The SPEAKER: I advise that I have received the following resignations from committees: Mr Sibbons, member for Mitchell, has resigned from the Legislative Review Committee; Mr Odenwalder, member for Little Para, has resigned from the Public Works Committee; and Mr Conlon, member for Elder, has resigned from the Environment, Resources and Development Committee.

LEGISLATIVE REVIEW COMMITTEE

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:51): I move:

That Mr Odenwalder be appointed to the committee in place of Mr Sibbons (resigned).

Motion carried.

PUBLIC WORKS COMMITTEE

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:51): I move:

That Mr Sibbons be appointed to the committee in place of Mr Odenwalder (resigned).

Motion carried.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:51): I move:

That Mr Odenwalder be appointed to the committee in place of Mr Conlon (resigned).

CONSTITUTION (RECOGNITION OF ABORIGINAL PEOPLES) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (15:53): This is a significant day in the process of reconciliation between the descendants of the first South Australians and those who have made this place their home more recently. Today we will take another step forward towards fulfilling a commitment made by the government only nine months ago, the commitment to give formal recognition to our state's Aboriginal peoples by asking this parliament to amend the South Australian constitution.

I would like to thank honourable members for their support of this bill, and I note that this support comes from all around the chamber—from government members, from our cross-bench colleagues, and from the opposition—and it is absolutely crucial that it happen in that way. Indeed, the power of this bill is as much contained in the words as it is in the expressions of support from the broadest possible range of political perspectives in South Australia. The truth is that without that shared commitment, we cannot move forward in the way we know we must.

This bill does not and cannot reduce every wrong that Aboriginal South Australians have endured as a direct result of European settlement, and I do not want to let our discussion of this bill pass without acknowledging the passion and the insights of many members on that point in the course of their contributions. But, the fact remains that everyone who has spoken has supported this bill, and that is as it should be.

This bill is a landmark in the process of reconciliation in South Australia. Since I introduced the bill late last year, we have marked the fifth anniversary of the national apology to the stolen generation. On that day, 13 February, the commonwealth Aboriginal and Torres Strait Islander Peoples Recognition Bill 2012, which has given great impetus to the process of national constitutional recognition, passed the House of Representatives.

With this bill on which we are about to vote, South Australia will take its next step in joining Victoria, Queensland and New South Wales in including a statement of recognition of Aboriginal or Aboriginal and Torres Strait Islander peoples in their state's constitutions. We are approaching the 16th anniversary of this parliament's apology to the first South Australians on 28 May 1997. I hope it will be possible for the parliament to complete its consideration of this bill in time for Harmony Day on 21 March.

I want to again thank the panel of eminent South Australians whose process of consultation and report to the government last year provided the basis for this bill. They are: Professor Peter Buckskin, Dean and Head of School of the David Unaipon College of Indigenous Education and Research, University of South Australia, and co-chair of Reconciliation SA; Ms Khatija Thomas, Commissioner for Aboriginal Engagement; Ms Shirley Peisley, Aboriginal elder and former co-chair of Reconciliation SA; the Hon. John von Doussa, a former judge of the Federal and Supreme courts, and former president of the Human Rights and Equal Opportunity Commission; and the Hon. Robyn Layton, former Supreme Court judge and current co-chair of Reconciliation SA.

This panel was formed in May last year with my announcement of our commitment to move to constitutional recognition of Aboriginal South Australians. We asked the panel to do three things: first, to seek the views of South Australians (of course, in particular, Aboriginal South Australians) on the alternatives of a preamble to the act or a statement in the body of the act and, by implication, a combination of the two; we asked them to advise the government on the preferred form and content of a statement of Aboriginal recognition; and we asked them to prepare options for cabinet's consideration.

The government records its gratitude to the panel for the thoroughness of its process, the timely delivery of its report, and the clarity of its recommendation. In saying that, I also acknowledge the tributes to the panel and the way in which it went about its work that have been made in debate by many non-government members.

When I introduced this bill on 29 November last year, I referred to the panel's processes of consultation in some detail. It is enough to say, at this stage, that the thorough and open structured way in which they went about this task was an essential ingredient in the validity and integrity of this amendment to our constitution. The consultation and seeking of advice was in itself an act of restitution, restoring to the Aboriginal peoples of this state the respect which was not accorded to their ancestors when it should have been.

As I explained in introducing the bill, and as widely understood and approved of, this change to our constitution will not affect legal rights. The reason is simple: that is not its purpose. The purpose is to correct a grave omission in our constitution—the foundational document for the system of government which is established for this state. The purpose is to put right the failure to acknowledge people whose heritage is that the fully lived life cannot be separated from country—country which we now know as South Australia. The purpose is to tell the truth about who we are and to tell it for the generations to come. I commend the bill to the house.

Bill read a second time.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (15:59): I move:

That this bill be now read a third time.

Dr McFETRIDGE (Morphett) (16:00): On behalf of the opposition, I would like to congratulate the parliament on having passed this bill through this house today and also thank the panel of eminent experts and persons who have put so many hours into getting this legislation to where it is today. Can I just say that in the recent opposition reshuffle, I was very disappointed to lose the Aboriginal affairs and reconciliation portfolio, but I was absolutely delighted to see the Leader of the Opposition Steven Marshall take up this very, very important portfolio.

I know the opposition leader has a passion for Aboriginal affairs, and he will do all he can to make sure that the legislation we put through this place today is not just left sitting on a shelf. It will mean something real for the future of Aboriginal and Torres Strait Islander people in South Australia.

Bill read a third time and passed.

BURIAL AND CREMATION BILL

Adjourned debate on second reading.

(Continued from 20 February 2013.)

Mrs REDMOND (Heysen) (16:01): I wanted to make a few brief comments on this bill, because I was a member of the Bob Such-chaired select committee that reported to the House of Assembly back in 2003 on this issue of burial and cremation. I do not want to discuss a lot of the details of the bill, but to make a few comments on some of the few provisions in it.

Disposal of our remains is an important issue. Indeed, in my view, it is at the very heart of what it is that makes us human, that separates us from every other species on the planet. True it is I think that elephants seem to recognise the death of a member of the herd, but no other species seems to have evolved to not only recognise death but, with every culture on this planet (in human culture at least), develop a particular way of disposing of the bodies of the deceased, whether by burial and cremation (with which we are familiar), by placing bodies on a raised platform with some of the American-Indian tribes, or by floating away on a vessel or sometimes burning that vessel as it floats away.

In any event, disposing of the remains of one of our own is a very significantly human thing to do, and people place great store in it. One of the most fundamental things that seemed to come out of the hearings and recommendations of the select committee was that many people felt that they wanted to be interred permanently. So, I am pleased to see that this bill does allow for having interment in perpetuity, which was not allowed for under the provisions of I think the Local Government Act particularly.

You could only have a 99-year interment at most, and indeed, most of our burial places, particularly closer to the city and our major grounds around the city itself, have generally only had 25-year interments. People are quite stunned when they find out, particularly if they were not aware that one of their beloved family members had been interred and they suddenly get a bill to renew that lease for a period of time, if they wish. So, I am pleased that the bill addresses that issue. That is the main thing that I think this bill does: address the issue of the ability to have interment in perpetuity.

The only advice we could give to people on the committee is that, when we were reporting, whilst there were maximums that applied in most of the major cemeteries around the suburbs, you did not have to go too far from inner suburban Adelaide before you would find little church cemeteries which actually had so few people being buried in them that, in reality, you would get perpetuity. It was not in any event allowed for under the legislation, so I do welcome that particular aspect of this bill. People were concerned.

Strangely enough, I think the member for Fisher, when he was talking to this bill on a previous occasion, spoke about the activity known as 'lift and deepen'. What we do at the moment is that someone's remains may be dug up and put down deeper into a grave so that others could be interred on top. When you think about, for instance, the number of people in graves in a country such as Britain—all those little church yards all around Britain over thousands of years—obviously, you would run out of room pretty quickly if everyone had to have their own separate plot—and, particularly, as the population of the world increases. If everyone was going to have a separate plot that was never to be disturbed and never to have anyone else buried there, then you were going to find problems.

The interesting thing from my point of view as a committee member is that most people objected to the idea of being lifted and put deeper in a grave unless the person being put on top of them was another member of their family. They did not object nearly as much if it was a member of their own family who was going to be on top of them rather than a complete stranger. There were quite strongly held views about that and, of course, about various aspects of cremation as well.

One of the other things I note is that we are going to be addressing this issue of natural burial grounds, and I know that the member for Fisher in introducing this bill has been a big fan of these. While I was on the committee, I was in Perth for some other reason and I took the opportunity to go to a natural burial ground some distance out of Perth. It took about a couple of hours to drive out to this area. I have to say I was very impressed with this area. I cannot remember the name of it at the moment, but it was a very impressive, park-like setting where children were playing and kangaroos were hopping around, and there was a cafe.

It was generally a place for quiet reflection but it was also a place where people could go and have a very enjoyable time whilst not being disrespectful to those areas where there were plates in the ground indicating that there were people buried in a natural burial ground underneath.

I have to say that, as I have got older, I rather like the idea that we be allowed to rot back into the ground, as we did, no doubt, many generations ago.

There is also provision for the closing of cemeteries, and I think that is still a live issue. I note that the government discusses the issue but I do not think that we have come to any reasonable and final conclusion about that particular aspect. Some cemeteries, of course, cease to be used. There are, for instance, many churches with cemeteries at the side of them. If the church ceases to operate and, indeed, is sold off, what happens to that cemetery? Is it the case that, forevermore, we are not allowed to use that piece of land?

The bill provides for unused cemeteries, if there has been no-one interred there for the last 25 years, to be closed and converted into parklands, public parks or gardens. Apparently, there were a number of submissions to the bill in relation to that proposal and, as I understand it, the largest number of submissions on that were in opposition to it. It was seen as desecrating a sacred place and also being contrary to what is known as the Burra Convention on the preservation of cemeteries, and it seems the government may not have addressed the concerns that were raised in relation to that opposition.

However, as I said, I do not have a problem with the idea that, if there have been no interments in a cemetery for 25 years, when a new use is found, for instance, for a church (and many churches that I have seen have been converted into private housing), I think it is reasonable to make a public park, or something like that, out of that area.

The last issue I wanted to address is that of burial in unincorporated lands. About 40 per cent of South Australia, of course, is beyond the reach of local government areas and it is what is known as unincorporated for that particular reason. Under the existing law, it is possible to bury someone in unincorporated land. Historically, of course, that came about very largely because we are a sparse, remote state with huge distances involved in travel.

Members can imagine that, before the days of refrigeration, for instance, and before the days of road transport being as efficient as it is now, if a person died on a remote property it would be not only unreasonable but also extremely unhealthy to think that you were going to have to remove that person's remains from a remote property and get it all the way back to a township or some sort of civilisation where they could be buried in a normal cemetery. So, it is quite obvious how it is that it came about that people were allowed to be buried on properties that were in the more remote areas, which are of course the unincorporated areas of the state. I welcome the fact that it will still be possible to continue that. There are some provisions about permissions and that sort of thing, but I think it is entirely appropriate.

I seem to remember that the former member for Unley—we always have interesting members for Unley in this place—Mark Brindal suggested that we should all be allowed to bury remains in the backyard, even around suburban Adelaide. I thought that was an interesting idea, especially when you thought about selling the house and someone else wanting to do an extension, perhaps. I apologise to Mark Brindal in advance if I have got it wrong, but that is my recollection as to what he was suggesting when we were talking about this proposition originally.

It is, I think, a welcome thing that we will continue the ability, subject to some conditions and regulations, to inter remains in some of our unincorporated areas where there is evidence that there are already burials that have taken place there. So, the family plot on some of these really remote stations can be continued and I am sure a lot of people, if they were in that area, would prefer to be interred out there. Obviously, when we have cremations many people scatter ashes in all sorts of places and we do not seem to need any particular permission about what we do with the ashes, but I do think it is appropriate that we continue this idea that we can have burials on some of the remote stations where there are family plots in existence.

As I said, I had very few things to say about the legislation. I welcome the idea of having interment in perpetuity, and that was the main issue that concerned the people who made representations to the committee all those years ago. It is only 10 years since that committee's report was tabled, and by this government's standards I guess that is a fairly rapid taking notice of anything that is put before it. I welcome the fact that it has, at last, got around to doing something and look forward to seeing the progress of the bill through the house.

VISITORS

The DEPUTY SPEAKER (16:12): Could I acknowledge Mr Konstantinos Tsiaras, who is the Deputy Minister for Foreign Affairs. It is lovely to have you and your guests with us today.

BURIAL AND CREMATION BILL

Second reading debate resumed.

Mr PENGILLY (Finniss) (16:12): I would like to make a few brief remarks on this particular bill. The first comment would be: thank heavens it is finally happening. It has been hanging around for time immemorial, I think, since the member for Fisher's committee that dealt with the subject. I pick up on what the member for Heysen said. Apart from the odd IVF bill, we spend a lot of time in this place talking about dying or how to kill people and now we are dealing with burials.

My major point of interest in the bill is burial outside a cemetery or natural burial ground. That is something that I have been dealing with with constituents of mine. Over the past two or three years, I have had a number of people say to me that they wish to have loved ones buried on their properties, whether that be rural properties or other places, but they were concerned that there were impediments put in their way, particularly by local government in the area. I did some work on it and I spoke with the member for Fisher about the requirements of burial outside a cemetery and it was all very simple. I advised my constituents of that and they have taken whatever steps were necessary to accommodate their needs at the time.

However, I am just a little bit worried with the bill that, once again, we are throwing it back on local government. I am concerned that the petty bureaucrats, or some of them, I should say, not all of them, some petty bureaucrats in local government might try to complicate these matters at a time when families are wanting to bury their loved ones and that they will try to hold things up and generally make life difficult for them. I ask that the minister give some thought to that. There are many who would like to see me underground, but I am not going yet.

My understanding is that currently, if you wish to have someone interred on your farm—let us use the word farm—all you need to do is advise the council of where you are burying the particular person and give them the GPS coordinates, and that is it. You do not have to do any more. That is the advice I have been given by the Attorney's office, which precludes a lot of nonsense at a time of grief for many people. Whatever plans we have under this bill to have local government authorities become involved, I ask the minister to keep it simple and not to make it too complicated. From my time in local government—and I think the member for Goyder had a substantial role to play as the keeper of the cemeteries when he was CEO of the council.

Mr Griffiths: I was the curator of cemeteries.

Mr PENGILLY: Something like that. It really is important. To signify the importance of these matters, only a couple of years ago an uncle I never knew—because he died in 1923—had no marked grave. However, I was able to go to the council in Maitland and they gave me the location and I found it, and I intend to do something about that. The fact that the records are kept is most important. Indeed, cemeteries are extremely historical places. I have spent a bit of time walking around some of them for the history of a district in particular. I find them to be fascinating for the history of a place.

By way of example, in my home on Kangaroo Island, at the cemetery in Kingscote there is a family called the Florences who lost a succession of children in one family through diphtheria. They had an enormous run. Just recently, the last surviving member of that family died aged 93. I think five or six of his brothers and sisters died of diphtheria in the early 1900s. I am supportive of the bill but, at the risk of repeating myself, I ask the minister to make sure that nothing gets too complicated in these days of increasing bureaucracy. They seemed to do it pretty well in the past; they buried them in the sandhills behind Emu Bay and all sorts of places, but it is important that we deal with this important subject.

The Hon. P. CAICA (Colton) (16:17): I will not hold the house very long. When I first came to this place, I was fortunate enough to be on the select committee chaired by the member for Fisher. I learned more about cemeteries, burials and the attachment that people have to cemeteries in this state. My mother, who I think is a pretty smart woman and certainly had a reasonably smart son, used to say to me, 'If there's a business you want to get into, get into food because people have to eat, or get into burials because there will always be people that are dying.' Hence, as much as anything else, the intimate attachment that people have with cemeteries, and that has been well articulated by the members that have indicated their support for this bill.

I note also that a lot of the recommendations that came out of the select committee have been adopted in this bill, and I welcome that, along with those of the Natural Resources Committee

I think it was that did some work maybe five or six years ago. Of course, those recommendations have also been taken into consideration and incorporated into this bill. One of the issues that came up with me as a local member was the removal of the length of tenure for burials, which resulted in what I think was described as the 'lift and drop'.

Just as important is the loss of important historical information. If we take the Cheltenham cemetery, which was the focus of the concerns that were expressed by my constituents, it was the fact that a lot of information was being lost because people were not renewing those particular grave sites. I spoke to people at the time about making sure that when those headstones were removed (I think put around the perimeter of the cemetery) very accurate records were kept because it is—I won't say a living history because you cannot say that—certainly a history of South Australia since colonisation, which contains very valuable information.

I often stop in the country because, regrettably, I still have a cigarette from time to time. I do not think it is being disrespectful that, when I do stop in the country, I like to stop near a cemetery and walk around and ponder, have a look at the gravestones, and have my little fix. They are a snapshot of our history, whether it be in country areas or here.

One of the things that is a problem in South Australia is the lack of space with respect to cemeteries, and that is why I like some of the innovation techniques that are going to be considered as a result of this bill, and that can only be a good thing. I will not care what happens after I am gone, but it certainly would not be my recommendation to my family that I am buried. I think I will probably get burnt, or I could be chopped up and used for crab bait; however, looking at the Attorney, I think that would probably be illegal.

Ms Chapman interjecting:

The Hon. P. CAICA: Yes, that's it. It seems to me that there is a great opportunity for those people who want to be buried, notwithstanding the fact that it might be some distance away from their loved ones, in country areas where there is a multitude of cemeteries that have, for want of a better term, vacancies; but that is a decision for individuals. I was over at Port Victoria last week, and that is a cemetery with a million-dollar view.

Mr Griffiths: It's a great spot.

The Hon. P. CAICA: Port Vincent? It's beautiful, isn't it? While the councils will eye that little bit of land and think they could make some money out of it, no council would ever contemplate developing such a site because it is a cemetery. I congratulate the Attorney-General for bringing this bill to the house. I think it is a quantum leap forward. I acknowledge the comments made by the speakers. I do not necessarily agree very often, or even at all, with the member for Finnis about his views about the bureaucracy and what might occur subsequently. I am sure we will get things right and—

Mr Griffiths: Shock, horror!

The Hon. P. CAICA: What's that, not agreeing with the member for Finnis?

Mr Pengilly: Well, it probably won't last.

The Hon. P. CAICA: No; I said I didn't agree with you. I am sure we will get things right. I do not hold the bureaucracy at the same level of contempt as the member for Finnis because I think our bureaucrats and our Public Service do an outstanding job, and quite often it will be the instructions we give them that probably make it more complex than otherwise might be the case. I welcome this bill. I think it is a great leap forward.

I want to acknowledge the member for Fisher and the work he has done over many, many years. He has been like a dog not wanting to let go of a bone, or, if he did, only to get a better grip. I think with respect to burials, cemetery provisions and that very important aspect of one's life—that is, death—it will be far better managed for the benefit of those who are left behind in South Australia. I commend the bill to the house and congratulate the Attorney-General for the work he has done.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (16:24): Can I commence by thanking all members. It is refreshing, actually, to have so many members contribute to a debate on a bill. One of the interesting things I have discovered in the period of time that I have been here is that every now and again we have a piece of legislation that seems to dissolve party-political allegiances and we have people speaking in a direct fashion about

issues of concern to all of us as citizens without being particularly affected by what you might call ideology or party-political concerns, and this is one of those refreshing debates. It is interesting that those debates tend to be things to do with 'hatching, matching or dispatching', but, anyway, that is just an observation.

I just wanted to run through a few things about this and pay tribute where it is due. The member for Fisher, of course, is the person who deserves a serious accolade for this piece of work. Without his persistence and fortitude, we may not be at the point we are at now, so I would like to place on record my sincere appreciation—and, I am sure, everyone's sincere appreciation—for the amount of work and the fortitude that the member for Fisher has shown.

The bill before this house is the culmination of work undertaken in 2003 by a select committee into cemetery provisions of the Local Government Act (which I believe the member for Fisher was instrumental in driving), subsequent consultation by the government on the select committee recommendations and then a two-month public consultation on a draft bill.

The result is a comprehensive and consistent regulatory scheme that covers all cemeteries, natural burial grounds and crematoria in South Australia and that better reflects modern technologies, industry practice and community expectations. As the bill was introduced just prior to the parliamentary break last year, industry bodies and other interested parties were able to provide further comments on amendments to the bill over the break.

On the whole, respondents, including the Cemeteries and Crematoria Association of South Australia, Centennial Park and the South Australian Division of the Australian Funeral Directors Association, were very supportive of the bill. However, the industry did raise a few concerns with me, such as a need for greater clarity around the definition of the term 'human remains', the requirements for identification to be carried out prior to burial and the transitional provisions relating to interment rights.

I have considered these submissions and have had government amendments drafted to address these concerns which, obviously, we will deal with in committee, but, briefly, so that there is given an overall picture, I can just say that these amendments will first of all provide for a refund for the surrender of an interment right, to be determined in accordance with the regulations. This will allow me to consult further with the industry on the best way to address their concerns without holding up the passage of the bill.

There are contending views out there about whether or not it would be possible—or, indeed, likely—for a person to try to corner the market, so to speak, in interment rights and thereby make profits and bank interment rights and that sort of thing. Whilst I do not believe I have been presented with any evidence of that conduct going on, it is something that I think we need to at least turn our minds to. However, in so doing, I do not want us to hold up the bill. I think it is reasonable for us to get on with the bill and we can turn our minds to that particular, perhaps not very likely, problem in the context of regulations.

The second amendment is the definition of an 'unexercised interment right' for the purposes of clause 34 of the bill, so that it means:

a current interment right under which—

- (a) human remains are yet to be interred; and
- (b) a memorial is yet to be erected.

That just adds more definition and clarity to that concept. The third is to insert a definition of 'bodily remains' and to make consequential amendments to other definitions and provisions of the bill to provide for greater clarity for the industry and the public.

The fourth amends clause 12 to make it crystal clear that the requirement for an identification process to be carried out prior to a cremation has been retained in this bill. The fifth is to amend the transitional provisions so that it refers to all interment rights issued prior to the commencement of the schedule, irrespective of whether there is an interment or not.

The Local Government Association has expressed general support for the bill. I note, for the record, that the Local Government Association has three remaining concerns in relation to record-keeping obligations—and I suspect that might be a matter to which the member for Finniss referred—the costs of mediation when a cemetery is closed, and the role of authorised persons. The LGA is concerned that some council cemeteries may have difficulty complying with the record-

keeping requirements, as many cemeteries, particularly older heritage-listed cemeteries, may not have accurate or comprehensive records of the kind required by the bill.

Cemetery records are important in order to preserve the historical records and heritage of this state and ensure that current and future records are maintained to a certain standard. The requirement to keep records, registers and plans is not new. Council cemeteries are already required, under the Local Government (Cemetery) Regulations 2010, to keep these records. Similar recordkeeping requirements have been in place in earlier versions of regulations as far back, to my understanding, as 1944.

The main change to the recordkeeping requirements is a significant increase in the penalty from \$200 under the current regulations to \$5,000 under the bill. The increase in the bill brings these penalties into line with other similar offences on the statute books. I note that the \$5,000 is a maximum penalty reserved for the most serious breaches of the act. Where a cemetery is acting in good faith and has legitimate reasons for noncompliance, the court will take those into account when determining an appropriate penalty, I should say, in the event of there being a prosecution which, again, is probably not highly likely.

The Local Government Association has also sought clarification on the role of authorised officers and whether they will be expected to handle or examine bodies. Authorised officers may exercise such of the powers as set out in clause 59 of the bill as are reasonably required for the administration and enforcement of legislation. For example, an authorised officer may seek to inspect crematorium premises to ensure that the crematorium has the correct processes in place for handling or storing bodies prior to cremation.

It is not expected that an authorised officer appointed by the council would have to handle or examine bodies. The bill defines an 'authorised officer' as a police officer or a person appointed by the minister or by a council as an authorised officer under the act. There is no requirement in the bill that a council appoint authorised officers and it is not my intention to appoint council officers as authorised officers unless requested to do so.

The Local Government Association is also concerned with the mediation provision which states that, if the relevant authority cannot reach an agreement with the holder of an unexercised interment right, in relation to discharging the right, then the authority may refer the matter to mediation, the cost of which will be borne by the authority. Mediation only becomes an issue if the authority cannot reach an agreement with the holder of an interment right to discharge the right.

I consider that, as the interment right holder ultimately has little voice in whether or not a cemetery is closed, the costs of mediation should be borne by the authority. In other words, it would be the authority attempting to close the cemetery which would precipitate the issue in the first place. The Local Government Association has sought assurances from the government that it will be consulted on the development of regulations. I am happy to put on record that I will consult with the association on the draft regulations.

I thank members for their support of the bill and look forward to further consideration of the bill and the government amendments in committee. Can I say that, as is commonly the case when we go into committee, unless other members are particularly concerned to do so, I would not expect the committee to behave in an overly formal way, provided that the contributions are not repetitive. I would hope we can, I guess, focus on the matters that require further exposition.

Bill read a second time.

In committee.

Clauses 1 to 2 passed.

Clause 3.

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

Page 4, after line 11 [clause 3]—After the definition of *authorised officer* insert:

bodily remains means the whole or any part of a human body (whatever its physical state may be) but does not include the whole or any part of a human body that has been cremated;

Page 5—

Line 3 [clause 3, definition of *cemetery*, (a)]—Delete 'human'

Line 31 [clause 3, definition of *cremated human remains*]—Delete 'human' first occurring

Line 31 [clause 3, definition of *cremated human remains*]—

Delete 'human' second occurring and substitute 'bodily'

Line 33 [clause 3, definition of *cremation*]—Delete 'human' and substitute 'bodily'

Line 37 [clause 3, definition of *crematorium*]—Delete 'human' and substitute 'bodily'

Page 6—

Line 5 [clause 3, definition of *disposal, (a)*]—Delete 'the' and substitute 'bodily'

Line 6 [clause 3, definition of *disposal, (b)*]—Delete 'the' and substitute 'bodily'

Line 7 [clause 3, definition of *disposal, (c)*]—Delete 'the' and substitute 'bodily or cremated'

Line 15 [clause 3, definition of *exhumation*]—Delete 'non-cremated human' and substitute 'bodily'

Line 19 [clause 3, definition of *human remains*]—Before 'includes' insert 'means bodily remains'

Line 21 [clause 3, definition of *human remains, (b)*]—Delete 'human' and substitute 'bodily'

Page 7—

Line 6 [clause 3, definition of *mausoleum*]—Delete 'human'

Page 8—

Lines 14 and 15 [clause 3, definition of *unexercised interment right*]—Delete the definition

Line 19 [clause 3, definition of *vault*]—Delete 'human'

Amendments carried; clause as amended passed.

Clauses 4 to 6 passed.

Clause 7.

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

Page 9—

Lines 4 and 5 [clause 7(1)]—

Delete 'human' wherever occurring and substitute in each case 'bodily'

Line 8 [clause 7(2), definition of *burial*]—Delete 'non-cremated human' and substitute 'bodily'

Amendments carried; clause as amended passed.

Clause 8.

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

Page 9, lines 13, 14, 17, 26 and 27 [clause 8(1), (2) and (3)]—Delete 'non-cremated human' wherever occurring and substitute in each case 'bodily'

Amendment carried; clause as amended passed.

Clause 9.

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

Page 9, lines 34 and 35 and page 10, lines 1, 2, 5, 6, 11 and 12 [clause 9(1), (2) and (3)]—Delete 'human' wherever occurring and substitute in each case 'bodily'

Amendment carried; clause as amended passed.

Clause 10.

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

Page 11, line 23 [clause 10(6)(b)(iv)]—Delete 'human'

Amendment carried; clause as amended passed.

Clause 11 passed.

Clause 12.

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

Page 12—

Lines 14 and 15 [clause 12(1)]—Delete 'dispose of human remains, or cause, suffer or permit human remains to be disposed of' and substitute:

cremate or inter bodily remains, or cause, suffer or permit the cremation or interment of bodily remains

Lines 19 and 20 [clause 12(2)]—Delete 'dispose of human remains, or cause, suffer or permit human remains to be disposed of' and substitute:

cremate or inter bodily remains, or cause, suffer or permit the cremation or interment of bodily remains

Line 27 [clause 12(3)]—Delete 'Subsections (1) and (2) do' and substitute 'Subsection (2) does'

Amendments carried.

The Hon. R.B. SUCH: I just wanted to raise an issue. I am not speaking against this amendment and I may not be at precisely the right one.

The CHAIR: Which one is it, member for Fisher?

The Hon. R.B. SUCH: I will take whatever one we are on now.

The CHAIR: We are on clause 12.

The Hon. R.B. SUCH: Yes. I have raised previously with the minister the issue of viewing remains, which is now required for burial. I do not know whether the minister or his people have been able to look at the possibility of tagging a body at the same time that the death certificate is issued, so that people who may not wish to view the body are going to be forced to do so.

It is a personal thing; we know that some people have viewings, but it has been put to me that some people do not want to be put in a situation where they have to view the deceased. That could be overcome by placing a non-removable tag around the ankle, as I believe is done in parts of the United States, and that tag stays with the body forever.

The Hon. J.R. RAU: In answer to that: my understanding is that it is contemplated that we would be able to deal with that matter in the regulations. I do not actually have any particular objection to it, but I think we should specifically talk with the people who are involved in the process—whether that is the medical profession, the funeral directors, or whoever it might be—to make sure that what we put in regulation is not something that is unreasonably burdensome. But, I take the honourable member's point, and the answer is: regulations are capable of producing that outcome, and we intend to have discussions about the regulations.

The Hon. R.B. SUCH: Just one other point on the same clause: this bill was not specifically set up to deal with licensing of undertakers. Currently, in South Australia, you do not have to have a licence, or there is no requirement to meet any particular standards in handling the deceased. Attorney, I am not sure whether that can be dealt with by regulation, or whether that would be something that would come under business and consumer affairs. I think most people would be surprised to realise that anyone can grab a vehicle and start transporting human remains.

Ms Chapman: It is not a highly sought-after occupation.

The Hon. R.B. SUCH: No, but, I know in the past people have been transported in a Morris Minor—that is no reflection on British motoring ability or engineering. I just wonder whether that is a matter for a different act altogether, or whether, by regulation, it could be dealt with as a consequence of this bill.

The Hon. J.R. RAU: I am advised that no, it is not in this legislation, and it is not capable of being dealt with in this legislation. I do not believe that we have actually even consulted anybody about that. So, whilst there may be some merit in that, I think it might well be the case, even though we are not talking about a licensing regime here—but, under the Australian consumer law, there is an obligation imposed upon anyone who is providing goods or services to a consumer.

I am not sure whether the fact that the consumer is actually dead stops you from doing that, because perhaps the consumer is your relatives—I would hope so. But, in that context, under the Australian consumer law, there are a whole bunch of guarantees about fitness for purpose, reasonable description of services and goods, implied warranties and so forth.

I think the answer is that, under the consumer law, there is not a total absence of assistance for people who might feel that they have not been properly dealt with by these people. Because we have not had a conversation at any stage about licensing, it is not contained in this

bill, and I would not be looking at contemplating licensing without there being a very thorough discussion with affected parties about the impact of licensing.

Clause as amended passed.

Clause 13.

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

Page 13—

Lines 16, 17, 19 and 21 [clause 13(1)(b) and (c)]—

Delete 'non-cremated human' wherever occurring and substitute in each case 'bodily'

Lines 27 and 30 [clause 13(2)(b)]—

Delete 'non-cremated' wherever occurring and substitute in each case 'bodily'

Line 36 [clause 13(4)]—Delete 'non-cremated human' and substitute 'bodily'

Page 14—line 12 [clause 13(7), definition of *human remains*]
—Delete '*human remains* includes' and substitute '*bodily remains* and *human remains* include—'

Amendments carried; clause as amended passed.

Clauses 14 to 19 passed.

Clause 20.

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

Page 16, line 3 [clause 20]
—Delete 'human' and substitute 'bodily'

Amendment carried; clause as amended passed.

Clauses 21 to 23 passed.

Clause 24.

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

Page 18, after line 20 [clause 24]
—After subclause (16) insert:

(17) In this section—

unexercised interment right means a current interment right under which human remains are yet to be interred.

Amendment carried.

Mr GRIFFITHS: I do have a question on clause 24, if I may. I note and indeed you spoke earlier about the fact that the regulations are still to be developed, but it talks about notices and then having to comply with regulations. My question is: notices are publicised 18 months or 9 months before hand (I think they were the times that were quoted), but what level of recognition has to be paid to those comments that might come in?

The Hon. J.R. RAU: I am advised that clause 24(3) provides for a method by which the notice is given—namely, circulating it through a newspaper or in a gazette—and a time period has been mentioned. It is true that there is no impediment on the authority proceeding even in the face of objection by people who may respond but, as with all of these things, it is a balancing act whereby, if there was a good reason to seek to make such an application, and I imagine it would not be made lightly, then it would be a matter for the authority to take any feedback into account.

It is actually a very interesting point, because it goes back to one of the questions that was asked earlier about the funding of any mediation that might be necessary because the party protesting is not the one that initiates the process. The party protesting is a person who is feeling themselves aggrieved by the process, so it would only be reasonable that, given that they are actually on the receiving end of something they do not wish to see happen, it should not be at their cost that they seek to mediate the issue when someone else is in a much more powerful position to influence the outcome.

Mr GRIFFITHS: I thank the minister for his response. I respect the fact that you or a person acting in your position has to be consulted as part of the decision to close a cemetery or a natural burial ground, but you are relying upon the provision of all information. I suppose I might be seeing the worst case scenario here, but I am concerned that a position as put by a family member

is not relayed through the cemetery through to you or the minister acting in your role. There does not appear to be any right of appeal on this. It just seems that, once the minister's authority has been given, notice has been published and the decision has been taken, there does not appear to be a right of review opportunity.

The Hon. J.R. RAU: There are several separate points here. The first one is that, in respect of a council cemetery, the minister has a role: in respect of a private, or non-council, cemetery, the minister does not. To create a right of appeal would actually mean that the objector became a participant directly in the process. I think it is a fairly large step to take to move an objector into that position because you could have that individual, in effect, holding the authority to ransom over their capacity to slow things down, or persist with court action.

The member for Goyder has actually raised a very important point which had not occurred to me before, which is that there is nothing explicitly in the legislation presently that requires the minister, upon making that decision, to be notified of the nature or extent of feedback. Whilst I do not think it would be wise to change the provision so that the objector had a formal legal right, I do think there is merit in providing a requirement that the minister, prior to making the minister's decision, is made aware of—I am thinking of the words off the top of my head here—the nature and extent of any feedback that comes in. If the honourable member is happy to do so, rather than hold us up now, I am happy to try to formulate an appropriate additional provision which we can deal with between here and the other place.

Mr GRIFFITHS: In relation to unexercised interment rights, I note you talk about agreement being necessary and, if that is not reached, I think the term was an independent party is used for mediation. Where does the independent party come from? Is it the same group of people that has been asked by the Small Business Commissioner to register an interest as being mediators, or is it a different level of person?

The Hon. J.R. RAU: Again, that is a very good question. The provision provides that the minister of the day can provide guidelines in relation to the selection of the mediator, which I guess means the answer to the question lies in something not dissimilar to regulations but it would be in the form of guidelines issued by the minister. If it were me, I would be making certain requirements such as the individual is not in any way associated with any of the parties, has no conflict of interest, is perhaps even somebody who has undertaken a prescribed course as a mediator, or something of that nature. I am confident we can deal with that issue as a policy document.

Mr GRIFFITHS: The reason I raise this is because of some level of personal knowledge. Say, for example, you have a family that took out a family lease 50 years ago, then one child has reached an older age and they might need it, and that sort of thing. It causes a lot of concern within families. They approach the council CEO, if we can use him as an example, in an effort to sort things out. It is not perfect.

I commend the minister on the fact that the bill tries to think of every scenario and it tries to determine an outcome based on that, but I am concerned that there is still an uncertainty that might exist because, no matter how hard you try, and use an independent mediator for mediation, an agreement will not be reached so a decision needs to be made about it—I understand that, also. While every effort is made with monuments, and even remains, to move them to an alternative place that the family might be supportive of, it is going to be very difficult, practically, to manage at a local level, I would have thought. That is why I have asked that question about the party themselves and the level of mediation, but you have explained it with the regulations.

Ms CHAPMAN: I thank the member for questions relating to clause 24, it clarified a couple of matters. The situation, as I understand it, is this: you are giving structure to a process where a cemetery or natural burial ground is to be closed, with the expectation that any human remains that are interred are to be respected, and there are serious penalties, obviously, if they are knowingly disturbed without proper authority, and that if there is a closure that there is an obligation on the authority to provide to anyone who has an existing unexercised interment right a plot somewhere else: essentially, if part of a burial ground or cemetery is to be closed down they can have a new plot within the part that is going to remain open. All of that is to be at the cost of the authority.

Essentially, if human remains are to be dug up and re-buried that any memorial they have has to be relocated, all at the cost of the authority, in other words, the complainants (presumably the relatives or descendents) would be assured of having some respect given to their lost relative, or deceased person. Secondly, that if they have an unexercised right that at least they will have a space somewhere else. That is as I understand the process that has been put in place.

The mediation aspect is one which, as you have pointed out, is of some concern to the relevant authority representative, namely the LGA, which is likely to have members that are going to bear the cost of this.

The Hon. J.R. RAU: But only if they are closing down the cemetery.

Ms CHAPMAN: Yes, I understand that. The whole section, I think, is relating to the closure of the cemetery. What I do not understand is, under clause (11):

If a cemetery or natural burial ground closed under this section has been lawfully consecrated according to the rites or practices of a particular religious or ethnic group—

- (a) the owners of the land must offer the closed cemetery or natural burial ground as a gift to that group; and
- (b) the relevant authority must not, unless the gift is refused by the group, demolish, remove, relocate or replace any grave in the cemetery or natural burial ground.

What is the gift? Does the whole of the ground have to be gifted over? I do not quite understand the extent of this gift.

The Hon. J.R. RAU: This was intended to accommodate various, probably, minority faiths, I guess you could say. Members may be aware that those of the Jewish faith have certain views about interment which are particular to their religious beliefs, the same can be said of people of the Islamic faith, and the intention was that in the event of such a closure occurring if there was some particular denomination or precinct (perhaps I could put it that way) of the burial ground that the people of that denomination, or their current leadership, should be given an opportunity to be made aware of what was going on and if they wished, in effect, to become the custodians of that land, or that property.

For example, members might be aware that there is a discrete precinct at Centennial Park for Jewish burials. There is another area for people of the Muslim faith. Each of those particular parts of the cemetery have certain characteristics that are particular to the requirements of that faith. It is a matter of respect for the views of these groups.

Whilst it is more likely than not that the groups that would be most concerned about these matters would be, for example, members of the Jewish or Islamic communities, they are not necessarily the only ones. We obviously would not want to have some discriminatory provision here which excluded—for example, if members of one of the more numerous groups had a view that they should not be able to have their view heard and only the minority group should. The point I am trying to make is that it is not all about numbers, it is about the group having a particular depth of feeling about the place.

Ms CHAPMAN: I suppose what I am really trying to identify is, where it says it has been 'lawfully consecrated according to the rites', do I assume then that if the archbishop of the Catholic church had gone down and exercised some blessing over the whole of the Catholic division at Centennial Park that the Catholic church would be entitled to receive that section as a gift, which of course may be a very substantial portion of the whole of the Centennial Park area.

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: I have not noticed it in this act, but it may be somewhere else, as to what is to be—

The Hon. J.R. RAU: Sorry, just understand it from this point of view: how can we in all fairness say that those of the Catholic persuasion should be less able to take advantage of such a provision than those of the Buddhist, Hindu, Jewish or Islamic persuasion? I think one has to have a rule that is capable of being applied to everyone. The likelihood perhaps of some of the more mainstream or conventional faiths wanting to take advantage of these things is possibly less, but to discriminate amongst faiths on the face of the bill would invite all sorts of obvious difficulties, which is not necessary, particularly given how relatively infrequent this type of event is.

Ms CHAPMAN: For the sake of the record, I am not in any way suggesting that there ought to be some discrimination between particular faiths, but I am struggling a bit with how this will apply. Whilst any group, provided they could in some way be identified as a religious or ethnic group—it is fairly general, that is all, and I am not saying it should be narrowed. I simply make the point that really they are entitled to a gift of what may be quite a substantial area of a cemetery that is going to be closed. All they have to do is establish that that section 'has been lawfully consecrated'. There is no definition as to what that means. Does it mean a blessing by the

archbishop or that there has to be some defined process? That may change, obviously, between different faiths or different groups, but there is nothing that helps us in the act that I can see.

The Hon. J.R. RAU: Bear in mind that we are going from the quite unlikely to the extremely unlikely—point number one. The number of times that these applications will be made will be very few and far between I would imagine. When they are made, we are in all probability dealing with reasonably longstanding communities by reason of the fact that they have actually gone to the trouble of negotiating with the authority concerned at some point in the past and having had set aside for them a discrete segment of the cemetery. In reality, I think we are dealing with relatively few potential areas as it is.

The last thing is that the idea of us trying to prescribe what consecration might mean between faiths might lead us down to a very complex series of things. As the member for Bragg would know just from her experience as an officer of the court, there are any number of ways a person might be sworn in to give their evidence. I just feel a little concerned that we might wind up having regulations explaining exactly what particular apparatus was used on the day and whether the appropriate bells and the smoke and all that sort of thing was present. I do not think we really want to get into that space.

I think we should just leave it at that, and in the event of there being some issue, then somebody has been given a reasonable direction as to what the parliament means, and that can be dealt with at the time. Otherwise, we get into this horrible business of having to decide. For all I know, if you are a Sunni you may have a completely different method of consecrating, for want of a better word, a burial ground from if you are a Shiite or if you are a Druze, or if you are an Orthodox Jew, or whatever. I do not think it is wise or helpful for us to get ourselves into those doctrinal elements. We are simply trying to convey something as a statement of our intention, which I think we have to, to some degree, trust future generations to be able to apply with common sense.

Ms CHAPMAN: I raise it, Attorney, because unlike the rest of this provision, which has a lot of provisions for where things may occur, this is a 'must'. This is not just an 'if'; maybe if it is a reasonable thing to do and all the circumstances or some discretion of someone like a minister or yourself to make the determination: this is an obligation to hand over the property which may be a significant swathe of the total asset. I just make that point. I am not sure whether or not this is something that is regulated in some other legislation. I have not seen it, but then I have not followed this type of legislation at all before. Is there any other precedent for this type of thing? Are there any other applications that are similar?

The Hon. J.R. RAU: I do not think there is, but can I come at this from another angle. Comparative religion is not my long suit, but I am advised that, for example, people of the Jewish faith have a very particular view about being buried once and for all, in other words, in perpetuity. There is a whole bunch of reasons for that which are particular to their beliefs. That leads to certain views that they might hold about what should happen if in effect a burial ground with Jewish people in it in a dedicated section were to be decommissioned. They would wish and they would actively take over the care and control of that decommissioned section. They would not want it to be possible for that not to be offered to them for that reason. That is a matter, I am advised, of very strong conviction for that particular community.

In respecting that conviction, which I do and which this bill does, it would be unreasonable for us to not anticipate the possibility that another community may have a similar conviction and should be excluded from consideration by reason of our bill being so particular that it narrowed its compass to, for example, just those people of the Jewish faith. I think if we tamper with this we will be inviting fairly strong representations particularly from that community, though not necessarily only from that community, about how strongly they feel about this matter, and I would urge members to respect that and just move on.

Clause as amended passed.

Clauses 25 to 30 passed.

Clause 31.

Mr GRIFFITHS: Clause 31 is relatively short and I know many people have spoken about in perpetuity beyond the previous 99-year agreement that was in place. Why have you not set any form of minimum period through this bill when it comes to what the expectation of government is? Especially when I read clause 32, where it talks about a renewal of the interment right being for not less than five years, that concerns me as a matter of principle.

The Hon. J.R. RAU: I have to say that that is entirely my fault, because I thought that putting in a minimum period might be misconstrued by people and the industry as my advocating a standard period.

Ms Chapman interjecting:

The Hon. J.R. RAU: Yes, and it struck me that if I put it in the bill and the parliament passed the bill which said, say, 25 years, we would be mistakenly sending the message to everybody in the community that we, as a parliament, thought that, after 25 years, everyone was fair game and you could dig them up. That is certainly not a message I want to get out there because it is not what I believe, and I think many people actually out there who have not had to deal with this themselves are under the mistaken impression that everything is in perpetuity.

I was torn between trying to shock everybody into reality by saying '25 years' but I thought that by doing that, what I might actually do is encourage people who are presently offering longer leases to reduce the term to this so-called new default position of 25 and, in effect, cause nothing but difficulty. Instead, what we have done is relied upon the position that each person, when negotiating for an interment right, must be made aware of the term and the conditions upon which that term is to be renewed at the time of taking that interment right. We are relying I guess on 'Caveat emptor'—buyer, beware—but we are also requiring that the buyer be placed in a position where they have the relevant information.

I know why the report recommended a number, but it just occurred to me that it actually might be paradoxically unhelpful, which is why there is no number in there. The other thing of course is that by putting a number in there, we necessarily start mucking around with people's business models. The member for Goyder and I may think that a cemetery that operates on the basis of a five-year term is a pretty crummy business model and a pretty crummy cemetery, but it may be that somebody wants to get out there and offer that appalling—from my point of view—service and people are happy to sign up for it because they just want to have a five-year stay and then they do not mind what happens.

I think there would be very few people who would go for that business model but to impose 25 or 50 years or any other number—99 years—is another matter. There are already people out there who have made business plans going forward for some time on the basis of whatever their current procedures are. To overlay some heavy hand from here saying, maybe you would have a grandfather provision that said, 'Anything that is already arranged stays as is,' but presumably their business model was not intended to finish sometime in the middle of 2013 and have the rules changed on them.

For all those reasons, I thought it was more prudent to actually leave that particular thing alone but rely on the provider of the service having to make full disclosure of what was on offer at the time the interment right was purchased.

Mr GRIFFITHS: I thank the minister for the detailed response. I respect the fact that you are putting responsibility with the local authority to determine an appropriate time and, therefore, they are responsible to their community and the people who they will serve for advertising that and accepting either positive or negative feedback that comes from that.

Is there a requirement though that you, as a responsible minister, are actually supplied with information from each of these authorities about the time that they determine, to consider whether it is too short? Is there still a tick that is required by you? If a local authority is prepared to go out there and say they want it to be 10 years and that will be it, is there some form of action by a local community that could come back via you?

The Hon. J.R. RAU: No, I have not set myself or any future minister up as the watchdog of plots. I think what we envisaged was a free and open market in plots, where people can shop around, or 'plot around', and try to find the best deal that suits them. To give an example, somebody might be prepared to trade off proximity to have a longer term. So, somebody might say, 'I have lived all my life in Adelaide, but I know that, if I go to Centennial Park, I am only going to get a certain amount of time for my money.'

I realise my family probably will not be out there every day anyway, eventually. Is it going to make a big difference if I arrange something at Kadina, where I might be able to get perpetual tenure?' or whatever the case might be. I do not know what is offered in Kadina, but let us assume that was up. Then, on the rare occasion when the 'rellies' want to come around and say hello, they will probably spend a few dollars on the Copper Coast as well, so it is a win-win for everybody.

But disclosure is important. Disclosure is very, very important. As I said before too, the consumer law means that, if they make false representations in any of those documents, and they say things to people that are incorrect, then they can be in quite a lot of trouble. Clauses which are deemed to be unfair clauses in a consumer contract can be struck out under the Australian Consumer Law.

It might well be that, quite independent of this, if you put in something that says you can only bury someone for six months—I am being silly here—under the Australian Consumer Law, you could say, 'Look, that is clearly an unfair contract. It is not fit for purpose and so forth.' So, no, we have not brought in that big regulation role: we are trying to leave it to people and the authorities to work out.

Clause passed.

Clauses 32 and 33 passed.

Clause 34.

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

Page 23—

Lines 16 to 18 [clause 34(2)]—Delete:

'equal to the current fee payable for an interment right of the same kind, less a reasonable fee for administration and maintenance costs' and substitute:

of an amount determined in accordance with the regulations

After line 19 [clause 34]—After subclause (3) insert:

(4) In this section—

unexercised interment right means a current interment right under which—

- (a) human remains are yet to be interred; and
- (b) a memorial is yet to be erected.

Amendments carried.

Ms CHAPMAN: The amendment to clause 34(2) will place the amount of the refund to be determined in accordance with the regulations. I think the Attorney was, in his response on the second reading, indicating that he did not want the passage of the bill to be held up and we would try to resolve this through regulation.

This is an area of concern, of course, because there is this obligation for the relevant authority to pay an amount equivalent to the current fee payable for an interment right. I do not know what the going rates are for plots or double stacks or anything else. I do not know that, I am not familiar with it at all, but, now that we are going to create this sort of new obligation, is there some example that you can give us as to how this will be calculated, what the valuation of a site is and the like?

The Hon. J.R. RAU: The honourable member asks a really good question, because I have spent some time with those who have advised me and we have been round and round the mulberry bush on this one, and we have thought about how it could be calculated. First of all, I give the undertaking again, on the record, that my intention is that we do nothing about this without thorough consultation, because it does need to be subject to consultation.

The second thing is that there is a number of different ways you can look at it. On the one hand you could say, 'Why should the person who holds the interment right receive any more for the right than they actually paid for it 20 years ago?' So, you paid \$100 for it 20 years ago, and you only paid \$100, so why shouldn't you get \$100 back? That is one way of looking at it. Another way of looking at it is saying, 'Look; when you paid \$100 for it 20 years ago, you could have spent that same \$100 on another plot here, and you would still have that plot, but that plot is now worth \$1,000, and for you to move from where you were to where you need to go, you have lost \$900 by reason of no fault of your own.'

That is another way of looking at it. Another way of looking at it would be to say that you treat it more like some sort of transferrable right or something. There is any number of possible ways of doing it. I did not want to create some sort of unrealistic cost barrier to the authority which felt constrained to make these closures but, by the same token, bear in mind that the person who

holds the interment right is an innocent party in the whole process—a passive participant—and they do not have any choice in whether the closure occurs.

Sorry; I was talking about the closure, but the surrender provisions are the same thing, and there may be any number of reasons why the surrender occurs. This is where my comment about profiteering comes in because, in a very peculiar world, you could have somebody who decides they are going to buy up all these rights, and instead of investing in the stock market, they are going to invest in plots, and then they will sit back for a few years, and wait until the plot market is so tight that it goes through the roof—it is supply and demand.

Mrs Geraghty: Like city car parking.

The Hon. J.R. RAU: No, let us not go there. I think the Bunker Hunt brothers tried at one stage to corner the silver market, and they came very close to doing it. Imagine somebody decided they wanted to make this sort of manipulative assault into the plot market; would you want them, by reason of that sort of ploy, to basically be able to extract money out of cemetery authorities or, not directly, from other people who needed the plots and, in effect, extort them by cornering the market?

I do not know how realistic that is and I have never heard of it happening. I have asked people in the department and they have never heard of it happening but, clearly, if you are dealing with supply and demand, and you are dealing with a scarce product, and you are dealing with the value of the product, how you actually structure the regulation of the surrender value of the product is potentially significant.

Another idea occurred to me. It is not meant to be ironic, but it often applies in relation to retirement villages where you buy a licence, in effect, and you might pay, say, \$100,000 for your licence, and the condition is that eventually when you no longer wish to stay there because you move on for whatever reason, the licence is surrendered to the licensor. The licensor then paints the place up and then issues a new licence to a new licensee at what is then the market rate minus a percentage for their trouble. In that sort of thing, there would still be some ongoing return to the authorities.

There are a number of ways we can do this. Because it is potentially complicated, and because you could have ratbags in there trying to muck around with the system, I did not want to hold up the whole bill on the basis of us not having that nussed out, but it is something that we are going to have to talk about with the industry and the LGA.

Clause as amended passed.

Clause 35 passed.

Clause 36.

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

Page 23, line 29 [clause 36]—Delete 'human'

Amendment carried; clause as amended passed.

Clauses 37 to 50 passed.

Clause 51.

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

Page 29, after line 35 [clause 51]—After subclause (2) insert:

(3) In this section—

unexercised interment right means a current interment right under which human remains are yet to be interred.

Amendment carried; clause as amended passed.

Clauses 52 to 62 passed.

Clause 63.

Ms CHAPMAN: This is a self-incrimination clause, which is not uncommon in the government's legislation. This clause essentially places an obligation on persons to answer questions or produce documents that would otherwise incriminate them, but makes the person liable for a penalty if they fail to do so or, in providing it, give false or misleading information. It is

consistent with other legislation where authorised officers are appointed for various reasons under acts.

The Attorney has said that he has no intention to appoint authorised officers at this point, on the basis that the police would ordinarily be involved in carrying out the protection of bodies that might, for example, be suspected of being unlawfully destroyed, etc. However, my question on this self-incrimination clause is: did anyone in the industry, or stakeholders who were consulted, ask for this and, if not, whose idea was it?

The Hon. J.R. RAU: I thank the honourable member for the question. It was not asked for by the industry. It is something that was put in as part of the drafting exercise on the basis that we are talking here about potentially extremely sensitive issues (the unauthorised destruction of human remains), and I think, on balance, it was thought that finding an answer to some of those questions was of sufficient importance to have such a provision.

Ms CHAPMAN: I assume then that the person responsible for asking for this was you?

The Hon. J.R. RAU: No, I did not explicitly ask for it. Parliamentary counsel does fascinating things: 99 per cent of the time, they are fabulous. As far as I know, not every minister asks for every single word that we get, so this is part of the mystery—you have identified part of the mystery. I do not think that it is a bad thing to have in there, but I did not explicitly ask for it. I do not believe anybody explicitly asked for it. My understanding is that it is a pretty standard sort of—

Ms Chapman: Well, it is under your government.

The Hon. J.R. RAU: I can honestly say that I have never turned my mind to that particular matter and now, having done so, I do not see any particular mischief being created by it.

Clause passed.

Clauses 64 to 66 passed.

Schedule 1.

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

Page 37, line 26 [Schedule 1, Part 2, clause 5, inserted definition of *cremated remains*]—Delete "means cremated human remains as defined" and substitute:

has the same meaning as

Page 38, lines 10 to 20 [Schedule 1, Part 3, clause 9]—Delete clause 9 and substitute:

9—Transitional provision relating to interment rights

An interment right granted before the commencement of this Schedule will be taken to be an interment right granted under this Act (as if this Act had been in force when the interment right was granted) and—

- (a) if the interment right was granted in perpetuity—the presumptive interment right will be taken to have been granted in perpetuity;
- (b) if the interment right was granted for a fixed term—the presumptive interment right will be taken to have been granted for the same term;
- (c) in any other case—the presumptive interment right will be taken to have been granted for a term prescribed by the regulations.

Amendment carried; schedule as amended passed.

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) (17:31): I move:

That this bill be now read a third time.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (17:31): I just wish to make a few comments. During the second reading, I outlined some concerns of the opposition in respect of the bill, and I am pleased to see that some of those have been covered by amendments presented today by the Attorney.

In essence, the amendments flow from further submissions received from the Cemeteries and Crematoria Association of South Australia Inc. who viewed the bill that had been tabled late last year. In particular, they made five recommendations to amend clauses 3, 34(2), 24(7) and 12(3). These have been generally covered, so I thank Mr Bruce Nankivell as president of CCASA for his assessment of the bill and for the submission and at least on his say so being sufficient to persuade the Attorney to act. So, we are pleased about that.

The amendments, I might say, arrived just today, and I am a little bit concerned about that. Although the Attorney may have only given consideration recently to this report from mid-January—I appreciate the time of the year, of course; it may be that it only came to his attention—both the Hon. Stephen Wade and I received correspondence today that had been dated last Friday. I would ask that, in future, if the Attorney does have amendments (and we welcome them) and if it is clear that this is going to be the first bill up in the legislative week (and in this case it was approved last Friday) that somehow or other he instruct his office to make sure that we have them a little earlier. In this situation it is not a contentious matter, and I think with most of these, as I tried to read through them as we received them today, there is no ill flowing from it. But we would appreciate that.

Finally, I note that the glorious outcome of this bill is that it seems that my great-grandmother Sarah Snelling is a relative of the Minister for Health and it seems as though we actually, in some way or other, have some earlier relative who is common. We have not yet identified that. I have given high commendation in this house before to Mrs Lucia Snelling for her excellent statements on the appalling public transport in this state. I have even offered the Minister for Health an application for membership of the Liberal Party to be handed on to her, given her extraordinary contribution.

I am actually very pleased that it may be that we have common ancestors, because I would certainly look to his government for support in ensuring that the private cemetery on the property at Snellings Beach is protected in the future. It is the resting place, of course, of not only my ancestors but, it seems, those of the Minister for Health. In any event, it is a very early memorialisation ground for some of the earliest descendants of settlers in the South Australian colony. With those few remarks, I indicate that we will be supporting the bill and reserve possible amendment in the Legislative Council in the areas I have previously identified.

Bill read a third time and passed.

At 17:37 the house adjourned until Wednesday 6 March 2013 at 11:00.