

HOUSE OF ASSEMBLY

Wednesday 20 March 2013

The **SPEAKER (Hon. M.J. Atkinson)** took the chair at 11:01 and read prayers.

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.

STANDING ORDERS SUSPENSION

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 standing and sessional orders be and remain so far suspended as to enable Government Business, Notice of Motion No.1 to take priority over Private Members Business, Committees & Subordinate Legislation today, and that Private Members Business, Committees & Subordinate Legislation set down for Wednesday 20 March be taken into consideration immediately after.

Motion carried.

WIND FARMS

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 acknowledges that—

- (a) wind energy is one of the most cost-effective and efficient forms of renewable generation and plays an important role in reducing our level of greenhouse gas emissions;
- (b) South Australia has established itself as the nation's leader in wind energy investment having attracted approximately 48 per cent of the nation's installed capacity;
- (c) the development and construction of wind farms across the state deliver economic and environmental benefits for all South Australians;
- (d) in addition to the direct employment generated by the construction and operation of wind farms, these projects also bring investment to regional towns and help farmers diversify to support their businesses and families;
- (e) non-evidence based policies undermine investment in energy projects damage South Australia's economic and environmental development; and
- (f) placing any moratorium on wind farm developments would have significant adverse economic consequences for South Australia including the potential loss of thousands of jobs and billions of dollars in investment.

The **Hon. J.W. WEATHERILL**: I move:

That the time limit for debate on the motion be limited to 20 minutes for the mover and principal speaker in opposition and 10 minutes for the mover in reply and any other member.

Motion carried.

The **Hon. J.W. WEATHERILL**: I rise today to move this important motion for the future of South Australia's economy, clean energy future and the jobs of many South Australian workers. The reason for the urgency in relation to this debate will become apparent when I explain recent events. Essentially, there has been a recent and rather alarming move towards a non-evidence based debate which has been emerging in relation to the wind farm sector which is threatening to stall many potential wind farm developments which would be beneficial for South Australia.

Unfortunately, the Liberal opposition has joined in by proposing a moratorium in a way which would be very damaging for the future development of this sector and it is that uncertainty that has been created by these twin phenomena, which have been raised by industry groups, which is particularly alarming. At a point in South Australia's economic history where we have, in a sense, a competitive advantage over the states of New South Wales and Victoria, who have set their face against wind farming, we are in a position to be able to attract our share of investment in

this important sector. It is important that we send the clearest possible message in a timely fashion to the industry so that our reputation is not similarly damaged as an investing environment.

I want to touch on our burgeoning clean technology and renewable energy sectors and the decisions and choices that we have made as a government over the past 11 years that have seen us become a national leader in this area. I am proud to say that South Australia has established itself as a leader in wind energy investment and renewable energy generally, having attracted approximately 48 per cent of the nation's installed wind power capacity.

When we came into office in 2002 there were no wind farms in South Australia. I can recall, as planning minister at the time in mid-2003, preparing a planning bulletin which sought to give guidance to the industry and, of course, to the development assessment process to ensure that we could provide an environment which was speedy and certain for the processing of development applications in relation to this sector. Over that 11 years, since that time, 15 wind farms have been built across the state. We set ourselves a target of 20 per cent renewable energy targets, and we exceeded that.

We now supply 26 per cent of the state's energy through renewable means. So, we reset, we recalibrated that target to be 33 per cent by 2020 and we are on track to achieve that, and wind generation will play a significant role as we progress towards that target. The 2012 South Australian Electricity Report highlights that wind-generated energy accounts for 3,349 GWh with zero greenhouse gas emissions during 2011-12, making a substantial contribution to reducing South Australia's (as well Australia's) greenhouse gas emissions.

In addition to the environmental benefits, wind farm developments generate employment in regional areas, especially during the construction and maintenance phases of a project. According to the United Nations energy program, renewable energy creates more jobs per dollar invested than conventional power generation. A recent Garrad Hassan report commissioned by the Clean Energy Council estimates that for a 50 megawatt wind farm, 48 FTE direct construction positions are created and a further 4.63 FTEs during operation.

The state has been a significant beneficiary from wind generators and, according to the Clean Energy Council, South Australia has attracted almost \$3 billion in capital investment, which has translated into 842 direct jobs and 2,526 total jobs.

As well as the direct employment generated by the construction and operation of a wind farm, there are flow-on effects to the wider community. Local retail and services benefit from the increased economic activity in the locality of the wind farm, and it is estimated that for every direct construction and maintenance job created two additional indirect jobs are created.

Additional community benefits are created by a number of wind farm developers through community benefit funds. The amount of funding has ranged from approximately \$100 to \$1,000 per megawatt of installed wind farm capacity. Funds have been provided by developers for sustainability or community development projects. Some wind farm owners also contribute to local communities through direct sponsorship of projects or events, such as football clubs or community festivals.

An SKM study into the economic of the five Hallett wind farms developed by AGL in the Mid North estimates a 3.3 per cent increase in gross regional product during the construction of the wind farms, and a 1.4 per cent increase during operation. There is clear evidence that wind farms bring significant economic benefits to our regional communities. There are benefits such as the impact on the carbon price for all South Australians. Due to the changing nature of generation capacity, with the increasing contribution by wind generators individual consumers are less affected by carbon price in South Australia than in other states.

The National Centre for Social and Economic Modelling assessed the carbon price impact on household expenditure for consumers in each state. For South Australian consumers the modelling found the least impact on household expenditure compared with all other states in Australia. According to the Australian Energy Regulator's State of the Energy Market Report, our wind generation capacity has now reached a scale where it is having a modifying impact on industry prices.

This will always be the way. There was always going to be a price on carbon. The price provided at the moment through the arrangements put in place by the federal government will have to be grappled with by any government anywhere in the world, so there will be probably an even higher price on carbon in the future, and those first movers, those jurisdictions that adjust their

economics to this carbon-constrained future, will reap the benefits. The process of adjustment will be similarly more difficult for those who resist those changes. That is why this is such an important debate.

As at February the Australian Energy Market Operator shows there are 19 wind farm projects within the state that are committed or listed or publicly announced. This represents potential capital investment in the state of more than \$5 billion and more than 2,000 construction jobs. It is clear that wind farm developments increase prosperity while reducing carbon pollution—they boost employment, they boost investment, they encourage innovation and technological development and they will deliver a clean energy legacy to our children and to their children.

South Australia has established itself in a way that creates a reputation for ourselves. We have established ourselves as Australia's most supportive jurisdiction for renewable energy investment and the development of innovative technology that so often results from this activity. So, it is no surprise that you see Zen Energy setting up in South Australia, which is pioneering world-leading technologies on battery technologies, that seek to unlock one of the great challenges with renewable energy; namely, how do you store energy that is generated in off peak times so that it can be used in peak times?

It is one of the great challenges and one of the things which potentially constrains the growth of wind energy, but because we have made that commitment in this state we attract those innovators who are coming up with the ideas that are unlocking those questions. These are difficult questions, but it is within the wit of the South Australian innovators to be able to solve the answers to these problems and, having solved them here, they can solve them around the world for the benefit of South Australians.

So it is not just this sector but those things that flow from it. We do not intend to go backwards on this or on any other front in the clean energy sector. The clean energy sector is not a fledging marginal player in the energy game: it has matured and has passed beyond being a niche operation. That development is the result of the initiatives we have all taken together in this state. What it leads to is this: clean energy is an inherent part of our mainstream energy policy and not an emerging adjunct to it. So, it belongs in the mainstream of everything we are doing both on an energy front and in manufacturing, industry and trade.

We are seeing the benefits of locally-grown clean energy supply chains. Consider the story of E&A Contractors in Whyalla who are supplying up to 20 wind towers for the Snowtown 2 wind farm project. When RPG, a well-known Adelaide wind tower supplier was placed into voluntary administration, E&A Contractors secured the key personnel and assets used by RPG in the manufacture of wind towers, and I pay credit to the Minister for Manufacturing at the time, the member for Torrens, for the role he played in that regard.

An honourable member interjecting:

The Hon. J.W. WEATHERILL: West Torrens; sorry, I always drop the 'West.' This effort has incorporated both the personnel and assets into the existing fabrication and manufacturing business at Whyalla for the mutual benefit of the Whyalla community and obviously taking advantage of the opportunities of wind farms.

E&A Contractors is now working on the Snowtown 2 wind farm and working with the developer, Siemens, to ensure that at least 20 of the wind towers for the 90-tower project will be fabricated in Whyalla. This shows that renewable energy investment is not only good for the environment but good for jobs and for local manufacturing. This is the same Whyalla that the federal opposition notoriously claimed would be wiped off the map. It does not seem to have occurred to the people who want to buy houses in Whyalla because I noticed that property values in Whyalla actually were the largest single increase of any suburb of any town across the nation.

That dire prediction, much like the dire predictions we hear from the Leader of the Opposition here about carnage in the South Australian economy, has not come to pass. I think that Whyalla can look forward to a prosperous clean energy future, and we know from the very strong advocacy of the residents of Whyalla and Port Augusta and the other communities in the Upper Spencer Gulf that they do have a vision for themselves as having a clean future. I think we are beginning to see that emerging for them, with the positive changes in relation to Nyrstar—

Ms Chapman interjecting:

The Hon. J.W. WEATHERILL: —Port Augusta and Whyalla, I think we can see a clean energy future for that beautiful part—

The SPEAKER: The member for Bragg is called to order.

The Hon. J.W. WEATHERILL: —of the Upper Spencer Gulf. But there is still plenty of work to do, and spurring investment in South Australia's clean energy industries remains a key component of our job creation and economic development strategy. Whilst the Labor government is committed to taking an active role in creating green jobs and long-term sustainable growth across the state, those opposite have a different view. The Leader of the Opposition claims to be genuinely committed to causes such as the environment and economic issues, but his party is hopelessly divided.

Just as we are seeing in a whole range of policy issues, they are trying to walk both sides of the street. We have seen how they got themselves tangled up on the barbed wire over the footbridge. We have seen them walk both sides of the street on Nyrstar, Holden, Future Submarines, and we see it again on this issue. The Leader of the Opposition in the other place is playing to the anti-wind farm lobby. It is a fatal character flaw in politics to walk before an audience telling them what you think they want to hear and then walk out—

Ms Chapman interjecting:

The Hon. J.W. WEATHERILL: —and speak to another audience and say something different.

The SPEAKER: I warn the member for Bragg for the first time. It would be a pity if she could not appear in question time today.

The Hon. J.W. WEATHERILL: It does represent a character flaw simply to say to somebody what you think they want to hear because what that betrays is, first, a lack of personal commitment to what you believe in and, secondly, it treats your audience as fools. I think people will begin to compare notes, realise that they are being played for fools as somebody wanders out before a crowd—

Ms Sanderson interjecting:

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

The Hon. J.W. WEATHERILL: —tells them what they want to hear in one forum and then goes to another forum and tells the opposite side of the argument what they want to hear. People do compare notes and, as they begin to do that, they become troubled. The fact is that the member for Waite is playing to the investor community, suggesting that wind farms are a good thing, and we have the Leader of the Opposition in the other place playing to the protest groups who are suggesting that there should not be wind farm developments, and that as a political party lacks integrity.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: I call the member for West Torrens to order.

The Hon. J.W. WEATHERILL: That lacks integrity and it will not be respected, and it is troubling to the investor community because they wonder what sort of investing environment they will have.

The fact is that there is no evidence that indicates that wind farms have a negative impact on the value of property; in fact, some towns located near wind farms are experiencing booms instead of sales droughts. One of these towns is Waubra in Victoria which saw residential property values near a wind farm actually increase by 10 per cent over the two years to January 2012. It is the highest increase of any town in the Pyrenees Shire Council.

The most comprehensive Australian study to date on land values and wind farms was undertaken by the New South Wales Valuer-General. The study found no impacts on wind farms on the sale prices of rural and township properties. It found that sale prices for four out of 13 lifestyle properties were lower than expected but as they were located next to properties with no impacts it was not clear the wind farm was the cause. Overall, the study found no statistical evidence to substantiate the claim that wind farms harm land values. This is consistent with the findings of major international studies.

Despite what we hear from those opposite, there is significant support for wind farm projects in regional South Australia. The Clean Energy Council commissioned QDOS to undertake wind energy community research in Victoria, New South Wales and South Australia. The research was predominantly undertaken in regional areas close to wind farms. For South Australia, the

community around Waterloo wind farm was polled. Seventy-seven per cent of people in regional areas close to wind farms support wind farm developments.

I do not deny for a moment that there are some people who have genuine concerns about wind turbines appearing in their backyard, especially if their neighbour is getting a financial gain from it and they are getting no gain. I do not deny that there are people concerned about the potential health effects, notwithstanding the absence of scientific evidence to support their concerns. But the truth is most people support renewable energy, even if it is large scale, even if it is built near them.

Over the past several weeks, my office has been contacted by a range of key stakeholders who are unsettled by the perceived ambivalence of the opposition to wind farms because this creates an unsettled environment just at a time when we are seeking to take advantage of the fact that New South Wales and Victoria have set their face against wind farms and we can be a relatively more attractive jurisdiction.

We have the Leader of the Opposition in the other place calling for a moratorium which is creating this uncertainty. It needs to be put to bed immediately. The kneejerk policies that are of the type that we have seen from the opposition (or at least being flirted with by the opposition) are the ones that are being rejected by a broad consortium of interests—the Australian Industry Group, the Australian Petroleum Production and Exploration Association, the Clean Energy Council, the Energy Supply Association of Australia—which have all come together calling for a clearer and more supportive policy environment for Australia's renewable energy resources.

I think we are beginning to see a pattern emerging in relation to the opposition. Where they can get a cheap cheer from a protest group, whether it is the Burnside Council or whether it is a few North Adelaide residents, they are there with bells on. They are there to say, yes, we are with you, comrades; we will fight them in the trenches. But when they are confronted by the reality of the broader cross-section of the community and its demands for investing in the future of our state, they wilt and they are prepared to say something different in that environment.

It is absolutely clear that we need to send a certain and clear message to the investing community about the future of our commitment to wind farms because that is what companies are looking for. They are not looking for a hand up necessarily; they are not looking for any particular free ride through the development assessment system. They are prepared to play by reasonable rules that give people rights.

Local communities should be respected. What they do not want to see is the rules change out from underneath them—and sudden lurches in policy, such as suggested by the Leader of the Opposition in the other place who suggested a moratorium should be imposed on developments of this sort, alarm them. They alarm their backers and the people who are risking their money on these investments, so it is absolutely crucial that we send the clearest possible message.

I think there is another disturbing trend that is emerging in the opposition, and that is this notion of them standing up for established interests ahead of people who want to change South Australia for the benefit of South Australia's future.

Ms Chapman interjecting:

The Hon. J.W. WEATHERILL: People who are prepared—

The SPEAKER: I warn the member for Bragg for the second time.

The Hon. J.W. WEATHERILL: They will jump on board any cheap populist cause to try to get a cheer against the long-term interests of South Australia. We saw them out jumping on board with the AHA, protecting established interests against new venue operators. They got called out on that, so they cravenly ran away, but we are seeing a pattern emerging in relation to this opposition and that is that they are the force of conservatism, they are the force for no change. The South Australian government is the force for progressive change.

Mr HAMILTON-SMITH (Waite) (11:25): I sincerely want to thank the Premier for this motion today, I really do. Rarely does a Premier come down into the chamber, stick his chin out and say, 'Smack me.' The former premier would not have been that silly. I do not recall the former premier ever coming down and moving anything quite this silly.

This motion is full of political invective. It is not a genuine motion; it is not a motion that is seeking to genuinely debate the issue. You only need to listen to the mover's words. He describes the opposition as lacking integrity, divided, walking on both sides of the street, playing to

established interests. It is full of political invective; it is not a genuine motion. They have the numbers; they will get the motion up.

It is so exciting, this motion, that the galleries are packed with the people of South Australia and the media just wanting to hear what the Premier had to say. In fact, is anybody there? Is *The Advertiser* here? Are the television stations here? Is the ABC here? Is anybody listening?

An honourable member: No.

Mr HAMILTON-SMITH: No? Nobody is listening.

The SPEAKER: Member for Waite, would you be seated. Hilarious as this is, it is plainly contrary to standing orders in the usage of the house to make reference to a presence or absence in the galleries or indeed to anything that happens in the galleries. I think the expression is 'playing to the gallery', and it is prohibited. Member for Waite.

Mr HAMILTON-SMITH: Thank you very much for your guidance and direction, Mr Speaker. I was getting carried away, because rarely do you get an opportunity to really address a premier's misguided motions in the house such as we are having today. For a start, I am starting to wonder—and I think many people in South Australia are starting to wonder—if this is a one-man show.

First of all, we had the motion on Holden's to which the Premier referred in his address—an attempt to divide and create mayhem. Then we had a motion on the 12 submarines project in an attempt to heap political invective on the opposition and to divide the parliament instead of to constructively debate the issue. Then we had a glossy brochure released on Friday called 'An economic statement' that did not have anything of substance in it and looked very much like the glossy brochures that his predecessor—the former premier—used to produce all the time.

Today, we have a motion on wind farms. As you can see, Mr Speaker, the whole of South Australia is hanging off every word during this debate—absolutely hanging off what the Premier perceives to be the number one priority for the day. I can tell you that what they are worried about is the price of their power bills. I will come back to that point but can I make another point to members opposite.

What we are hearing today is the current Premier continuing with the agenda of his predecessor. Wind farms! That was Mike Rann's agenda. He built his reputation on wind farms and, instead of making his own way in the world, instead of carving out his own agenda, what the Premier is doing is coming in here and hailing the praises of the former premier, the former member for Ramsay, the Hon. Mike Rann, now ensconced in the Australian High Commission in London.

Isn't it time for us to hear something genuinely new from the Premier? We heard it all before; it is like *The Son of Kong*. We now have the junior version of what we had for years with the former premier. We have the Son of Kong huffing and puffing about wind farms. Let us talk about getting people's power prices down. This is a poorly framed motion that is full of political invective. It could have been phrased much better so that it was non-partisan and non-political and maybe we could have had an intelligent debate.

Mrs Geraghty interjecting:

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

Mr HAMILTON-SMITH: Let me get back to some of the issues that have been raised because, as I have mentioned, it is not a genuine motion. This debate takes shape in the context of the largest price rises on the electricity bills of households and businesses in this state in living memory. To December 2012, electricity prices grew by a staggering 18.2 per cent on the previous year. Since 2002, when this group on the opposite side of the chamber took office, prices have risen 124 per cent.

That is what the people we represent want to hear us debate—I put to the house—not this political waffle, huff and puff, that we are having from the Premier today. It is hard for us to take it seriously. A number of us, noting the political invective of the debate, have other more important things to do, to be frank, but we will pick up the issues. Since the Premier wants to come in here and stick his jaw out, we are happy to dust it over. The government keeps waffling on about all the problems of the world in regard to energy having been caused by privatisation.

The Hon. A. Koutsantonis: Yes, that's right—congratulations. It's a gift that keeps on giving.

Mr HAMILTON-SMITH: Yes, it's a terrible thing, isn't it. The government likes to pretend that all these price increases have been the consequence of privatisation in the late nineties. Remember when they bankrupted the state? Remember when they gave us \$11 billion of debt? Remember the last time they were in government? Well they are doing it again. But let me get back to the substance of the motion. They keep saying that it is all about privatisation.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens will stop provoking the other side.

Mr HAMILTON-SMITH: I wouldn't want to provoke, Mr Speaker, would I? Of course, if you look at other states, like New South Wales and Queensland, where those assets are still in state government ownership, the situation is either as bad or worse than it is here. What he does not like to tell us, in the context of this motion, is that his own Prime Minister—remember we were in here talking about Rudd and Gillard over the submarines?

Rudd was much better than Gillard. But his own Prime Minister—whom the mover of the motion backed for Prime Minister, by the way; they hang around together—well, that Prime Minister disagrees with him, and so does the commonwealth minister for energy, because they have both disputed the claims by their South Australian Labor colleagues and they are calling for further privatisation around the country.

Gillard and federal Labor actually want New South Wales and Queensland to get rid of their assets so that we can have a genuinely workable market. Talk to your Labor colleagues in Canberra. You are on the wrong page. Indeed, the South Australian government has made moves to further deregulate the electricity market, slowly learning the lesson that government interference in the market will, more often than not, only put additional pressure on prices.

When you look at the other major utility burden borne by South Australians—water prices—which is still owned by the government through SA Water, aren't they doing a fantastic job there! Aren't they doing a wonderful job there! Costs have grown by a staggering 249 per cent. Imagine if they still owned the electricity assets. Look at the debt they have got.

Imagine them going out to try to build wind farms. 'Oh, we need \$5 billion to build some wind farms,' because the government needs to build them. It is a nonsense. The idea of this lot still having control of our electricity assets—heavens, we are on the road to bankruptcy now.

The SPEAKER: Member—

Mr HAMILTON-SMITH: We would be there by Monday if they—

The SPEAKER: Member for Waite, will you be seated? It is not acceptable to refer to other members as 'this lot'; you may however refer to them as 'the government'.

Mr HAMILTON-SMITH: Thank you, Mr Speaker. There are future challenges facing the South Australian energy market. Electricity demand has been declining in real and relative terms since 2007 after growing at approximately 1.8 per cent annually. The decline of manufacturing, particularly heavy industrial intensive manufacturing and processing, has shifted the demand for electricity from baseload power with high peaks towards weaker overall demand growth with greater elasticity.

There has also been an impact on the market from solar, and PV is exploding and has had a big impact on the market, and renewables, as the Premier observes—and we would agree with him—are increasingly playing an important part in that market. In the year to 2012, wind power generation in SA amounted to 3,349 gigawatt hours or 26 per cent of total supply. Natural gas provided 50 per cent and coal provided 24 per cent.

The state government settled on a target of 33 per cent renewable energy by 2020 in its State Strategic Plan, the one the Premier did not mention in his economic statement last Friday curiously enough, which makes me wonder whether we are going to have a plan come the budget. Apparently we are on track to reach this 33 per cent target.

Wind power is extremely important in South Australia. We currently provide almost 50 per cent of the nation's wind power. We have a natural advantage for wind energy production, but that has also meant that we have rapid development and a great deal of local consternation on wind farm developments centred around regional communities. We over here actually listen. We

actually talk to people, particularly country people. We believe you should consult and then decide, not do what the son of Kong wants to do: announce and defend.

There is a case for wind farms, and I want to talk about the case for and the case after, because we are very supportive of wind farms. In general, the case for wind power comprising a significant part of the state energy capacity is quite compelling. As that proportion of the state's generation capacity grows, however, the case becomes less convincing.

There is energy market transformation underway in this country. The nature of the market, as I mentioned, is changing away from baseload power due to the decline of heavy industry and manufacturing and the growth of renewables. I remind the house as well that the price of gas is increasing and is going to increase even further in the years ahead. Historically we needed large thermal baseload complemented by peaking plants.

Increasingly now, we are shifting towards renewable resources, including residential solar photovoltaic production complemented by smaller peaking power providers. The long-term viability of baseload production is under pressure, and increasingly baseload power stations here and interstate are only operating intermittently. There is very little investment in this country being directed towards new baseload power, and what investment there is is largely opportunistic. Solar also provides a cleaner environment—

The Hon. A. Koutsantonis: Do you want more? Do you want more investment?

Mr HAMILTON-SMITH: I am going through the case for it. The minister should listen; he might learn something that he could take back to the department and maybe do some good things for the people of South Australia. One of the most convincing arguments for wind is that it is clean. The technology and manufacturing base for wind turbines is currently further advanced than any other renewable energy source. The Clean Energy Council has estimated that South Australia and wind energy has avoided 3.5 million tonnes of greenhouse gas emissions being produced. That is a good thing.

The financing of wind investment is also worth noting. Investment is funded by the national Renewable Energy Target, the RET, and therefore energy consumers in other states are, in effect, paying for wind farms to be built in South Australia, which for us, on a purely parochial basis, is not a bad thing. Other people are paying for investment in our state.

A consortium will borrow to build a wind farm but will be rewarded by an ongoing income stream through the RET, and the costs to this state are comparatively marginal and indirect. This is good. Industry is saying that further wind investment is a much better long-term prospect than investment in new baseload capacity, and there is merit in that argument. Companies are incentivised to buy green energy through the carbon tax. All those things are true.

There is also a benefit of investment and jobs in the region, as has been noted. There is a wealth of evidence to suggest that jobs and investment flow to the region. The Clean Energy Council has estimated that South Australia currently has 560 operating turbines across 16 wind farms able to power the equivalent of 504,000 homes or more. This has meant almost \$1.8 billion of Australian investment and approximately 840 jobs. All those things are true, but there is also a case against wind farms, and we are listening to both sides of the argument, unlike the mover of the motion.

In general, there are sound arguments against excessive and inappropriate wind farm development which warrant a hearing from any government which claims to have moved away from the ethos of announcing and defending. Clearly, this government has not.

The value of land is of concern to farmers. They dispute the mover's claim that there is no impact. Farmers argue that these wind farms, when sited, should not be placed on valuable agricultural land but rather on land that is of a low agricultural grade. There have been claims that land upon which wind farms are located has devalued land adjacent. We need to explore whether this is so, whether it is because of a new revenue stream going to land that has the turbines rather than a negative impact on the land adjacent. We need to explore all that, and I will come back to that in a moment.

There are also winners and losers. Yes, some landowners do benefit but others do not. We need to explore whether or not the benefits of wind farms can be spread more broadly throughout country communities so that more people get a benefit from them. This government has not got that right. It has divided communities in many locations around the state. Energy projects are extremely capital intensive and, whilst we do recognise the considerable investment in the cab

rank, critics say that only a percentage of that investment actually finds its way into the South Australian economy. These issues warrant exploration.

There are claims about health concerns; the science needs to be examined. There are claims about fire and aerial spraying, and interference with both of those by wind turbines. Again, people need to have their say; those concerns about crop spraying and about the ability to fight fires need to be explored, and we need to establish whether they are genuine concerns. There needs to be community consultation. Local councils and local communities have a right to say what they feel should be done about the visual impact, and other impacts, of wind farms in their local areas. In the same way, all local communities deserve to be treated with respect.

This government feels otherwise. They know best; announce and defend, get out there and tell people what is best for them. We do not agree. There is a visual impact, there are impacts, there are concerns, and they need to be explored.

Labor's policy is a bit muddy, I have to say. Their October 2012 announcement seemed to suggest a one kilometre from a house and two kilometres from town approach, but it seems ever flexible. We have simply said that there are concerns and they need to be examined. We have fully supported—and, in fact, gone after—a select committee in the other place to look into this very issue, and that committee is doing its work as we speak. Everyone is being listened to thanks to us, with the support of the minor parties. All the issues for and against are being explored, and that is a good thing.

In the meantime, in late 2011 the Liberal Party said that until the select committee had completed its work it would encourage a moratorium—in other words, a temporary suspension—on the building of industrial turbines that were two kilometres from someone's home or five kilometres from a town. Once the select committee has done its work and we know all the facts, we will look at that decision again and decide what we will do; whether we will toughen it up even further, maybe leave it exactly as it is, or maybe soften it a little; but we will do it on the basis of the facts, not on the basis of telling people what is best for them whether they like it or not.

In summary, the way forward is quite obvious. The government, the opposition, in fact the entire parliament, should listen carefully to the report of the select committee and its recommendations. It is comprised of ALP members, Liberal Party members, Family First, Greens and Independents. It is listening to all the stakeholders—one big happy family. It just might come up with the right answers.

The parliament should have some confidence that the select committee will consider all the issues canvassed in the Premier's motion that we are debating today. In particular, we should expect that the select committee will consider its business based on the evidence and the facts, and make its recommendations based upon the best interests of the people of South Australia. We may or may not agree with everything in the select committee's recommendations, but we will do the right thing and let the process unfold.

In a sense this motion is, in my opinion, a contempt of that committee process. It would have been better to be having this debate after the committee had completed its work. The Premier, who has moved this motion, is guilty of the very thing the motion purports to refute. He has put the motion to this house, insisting on positions, before he has even read or considered the work of the parliamentary committee set up for the express purpose of listening to people from the country, the city and the energy industry to find out the facts. He knows best—well, he needs to start listening.

In conclusion, this is just a politically motivated attempt at wedge politics. Have your motion—you have the numbers. First, the Premier tried to defy the house on other issues, and now we have this one. Just like the Premier's economic statement, it is all huff and puff generating nothing but political nonsense. There he stands, a big, glowing wind turbine, generating reams and reams of verbiage, glossy brochures and debate for the sake of debate, with little substance whatsoever, living in the shadow of his predecessor, Mike Rann, and now championing his causes. Find some new directions and get back to the issue: how are we going to get people's power prices down? That is what families want to hear their Premier—

The SPEAKER: The member's time has, alas, expired.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (11:45): I did appreciate the contribution from the member for Waite, but I get the impression that

what he is actually saying is that the message from the opposition at the moment is: stop the world, the committee is still in session.

The Hon. A. Koutsantonis: Good God, is there a committee in session?

The Hon. J.R. RAU: There is a committee in session. The other implication of what the member for Waite said is that that committee, unlike everything else the opposition and the minor parties do in the upper house, is not politically motivated. It is not: it is doing this because it really cares. Well, that is news; that would be a first. For goodness sake, accusing the government of putting up a motion here for debate about this important issue, which has been turned into a problem by the attitude of those opposite, the member for Waite accusing the Premier of a political stunt, if that is not the pot calling the kettle black, I'll go he! Goodness me!

I want to address a few of the issues that have been raised in relation to this matter really for a planning perspective. The most important thing from a planning point of view is that the outcome is evidence based. Contrary to what the member for Waite said, the debate and the collection of evidence about this matter has been going on since about 2003, when my colleague the Premier, as the relevant minister at the time, got the ball rolling in this space. There has been a conversation going on about this ever since.

Wind farms are not something that have dropped from outer space into South Australia in the last few minutes. They have been around for a very long time, and the debate has been going on for a very long time. Not so long ago, I had the privilege of being in that beautiful part of the state from which the member for MacKillop hails. I was driving around there, enjoying the magnificent countryside near Mount Burr and Millicent, and what did I notice? Lots and lots of beautiful wind farms.

I gather that those wind farms are on the properties of happy people who are constituents of the member for MacKillop. Why are they happy people? Because they are getting happy money from the people who run the wind farms. That is why they are doing it—and why shouldn't they? Next thing, you will be saying that you should not be able to have a tower from Telecom on your property because your neighbour does not like the shadow.

As Minister for Planning, I receive countless letters both in favour of and against wind farms. Additionally, through the development of the Statewide Wind Farms DPA—which, by the way, is an official government policy with a process attached to it, just so that those on the committee over there can acquaint themselves with what actually goes on in government—and it is backed up by the independent Development Policy Advisory Committee. These people held meetings throughout the state and provided me with substantial reports and recommendations.

The diversity of views on the issue is remarkable. Those whose opinions are in support of investment in wind are just as strong as those who oppose it. Through consultation with the whole community in consideration of large volumes of advice, what is clear to me is that the best approach in relation to this is a policy that is based on evidence—which is what we are doing and have been doing.

Last week, a new study from the Sydney School of Public Health at the University of Sydney was released looking at the differences in the history of health and noise complaints about Australian wind farms. This is apparently the reasoning—as the former premier would say, 'breaking news'—that is contaminating the minds of those on the committee in another place at the moment. 'There's some terrible health thing that has come out of nowhere. We must stop.' Let us see what these people who actually know something about it have to say, and I quote:

...scientific consensus that the evidence for wind turbine noise and infrasound causing health problems is poor, the reported spatio-temporal variations in complaints are consistent with psychogenic hypotheses that health problems arising are 'communicated diseases' with nocebo effects likely to play an important role in the aetiology of complaints.

I will break that down a little bit. I recognise this is very technical language, but Professor Simon Chapman, one of the authors of the report, went on to explain a bit more about this, and I think this is very important. This is really the crux of the issue, I think. He said:

We think it's a good example of what we call the nocebo [effect], everyone's heard of the placebo response where you take, say, a pill and someone says this is going to do you good and make you feel better and lo and behold it does even though the pill's got nothing in it...with a nocebo response you can tell people that something is going to be, for example, painful or unpleasant...you'll find that a proportion of people will [even] actually experience that pain or the unpleasantness even if there is nothing happening.

This is the nocebo effect. It continues:

...when you have people going into communities saying these wind turbines are going to make you get headaches and sleeplessness and put your blood pressure up and your heart race and make you feel anxious, some people are going to start experiencing that.

The committee in the other place, and those opposite, are hooked on the nocebo effect. The more they distribute the nocebo message, the sicker the community gets, the more they reinforce their own—

Mr HAMILTON-SMITH: Point of order, Mr Speaker. I understand that the speaker has just reflected on the deliberations of a committee in the other place, adversely, and I seek your guidance as to whether that is out of order.

The SPEAKER: In response to the member for Waite's point of order, the select committee in the other place has chosen to make its evidence public so I do not think any member can be restrained from commenting on it. Deputy Premier.

The Hon. J.R. RAU: Mr Speaker, it reminds me of something that happened to me personally when I was taking my children to Falls Creek a few years ago. We arrived at Mount Beauty in a bus. The bus driver got up at the front of the bus and we were sitting there after a five-hour journey from Melbourne (which was something less than perfect: if I had realised how long it was going to be, I would have chosen a different mode of transport). Anyway, there we are, and the bus driver, as we were driving up the hill, says over the microphone, 'Ladies and gentlemen, a person on this bus a week or so ago counted 372 turns from here to the top of the mountain,' and we start going up.

About a kilometre up, he says, 'And, ladies and gentlemen, pretty soon, some of you might start feeling ill,' and then he hands the plastic bags back to the people in the bus and says, 'Pass them on. Anyone who wants to vomit, please grab one of these bags.' Sure enough, within about four minutes, a lady who was sitting just across from me felt the urge and the predictable happened, and then my children had the same problem, and there was an epidemic of it in the bus. The only person who was not affected was me and, unfortunately, that meant I had to collect the bags. The point is: that is what is going on with wind farms.

Only 120 individuals across Australia appear to have complained. This represents approximately one in 272 residents living within five kilometres of farms or, to put it another way, less than half a percent of those living within five kilometres. Eighty-two per cent of noise complaints commenced after 2009 when anti wind farm groups began to add health concerns to their wider opposition list.

That brings me back again to another example of the nocebo effect. I remember there was a specialist in Adelaide, who I did not often use for my clients, Mr Mark Awerbuch, who I remember used to describe repetitive strain injury as kangaroo paw. He even wrote in one of his reports that I read, probably 50 times in respect of different clients, that this is the only recorded epidemic of injury in history. That is what all of this is based on; that is the quicksand that this edifice is being constructed upon.

We have done an extensive consultation, in the context of the DPA. Some 276 written submissions were received; there was consultation with councils and the public for eight weeks, from October to December 2011. As minister, I took note of all of the matters raised in there, and we accepted that there were some interface issues, which we have addressed. On balance, we took into account concerns such as areas in which it is appropriate to envisage wind farms, the balance that should be struck on third party notification, comments and appeals, visual impact, and potential impact of wind farms on low altitude aircraft—all of it was considered.

The Hon. R.B. SUCH (Fisher) (11:56): I remind members that, back in 2002 (11 years ago), the government of the day, which is the current government, asked me to lead a delegation to have a look at wind farms in Europe. Accompanied by people from the Public Service and many leading business people from South Australia, we looked at wind farms and the manufacture of the actual turbines and the blades. We visited Denmark and also the UK, and we spent some time in France as well.

The conclusion we came to, which ultimately led to the establishment of a wind industry in South Australia, was that we did not see any evidence of harm caused to anyone. We went to farms and elsewhere, and we did not see any evidence whatsoever that there were significant side effects for health or upon animals.

The only thing I did not do was climb one of those wind towers because, contrary to popular belief, they do not have a lift. If you are a mechanic working at the top, a long way above the ground, it pays to remember to bring your pliers because, if you are up there, you have to come down again and go back up all of those steps.

We went to the Isle of Wight, where they make the blades. It is a massive undertaking to transport those blades, and there was a lot of talk about possibly setting up an industry here to make the turbines and the blades. I remember there was a lot of misinformation about wind turbines; a lot of people thought that the faster the wind blows, the more electricity you will get. Well, they are actually designed to shut down if the wind gets above about 50 kilometres or something like that because they will do damage to the turbine. They are geared so that the blade turns very slowly but, by the time the gearing takes effect, the actual turbine is going flat out.

At that stage, after that study tour and report, there were some issues about location, obviously. When you come to installing wind turbines, it is a bit similar to retailing—location, location, location. One of the issues we observed in Europe was that, in order to get away from some of the criticism of land-based wind turbines, you put them in the ocean, which is quite practical to do.

So, you get away from this problem perceived by some—and I am not convinced that it is a problem; I am yet to be convinced that there is a health issue—by putting the wind turbines in the ocean, bed them into the floor of the ocean. So, that gets rid of the problem of any health effects, as perceived by people, and any other locality-type issues. You still have the question of aesthetics; some people do not like wind turbines, some people love them.

The question about wind turbines is that they work well when the wind is blowing and they do not work too well when there is no wind. It might seem elementary, but that is how they function. I am a supporter of alternative energy sources. We need to look at that, and do further work in relation to hot rocks and wave energy, but we still need some guaranteed base load. The member for Waite said that we have had a decline in industry. That is true to some extent but the demand for computers and air conditioners seems to be increasing all the time.

What we do not have at the moment, I believe, is adequate provision for base load and wind turbines cannot provide that. I think a year or so ago when we needed more output, the wind turbines in South Australia produced a tiny fraction of what was needed on some of those very hot days—this was a year or so ago; I don't know the current figures. I think in terms of the wind turbines, it is horses for courses—location; consideration of people who live very close by; and whether the medical evidence stacks up or not, if people feel uncomfortable, then I think you need to take into account their attitudes and feelings. As I said before, I do not believe that there is any compelling negative medical evidence re the impact of wind farms.

The member for Waite referred to the electricity market. That needs to be reformed but that is really a separate issue in a way. South Australia has been duded by the current electricity market, and I know that the minister is trying to get that changed because it is not a true market anyway, but South Australia is paying a heavy price for being a part of that so-called market and that does need reform.

Out of that, and contrary to what some people think, having people go overseas and look at what is done elsewhere, can have a great long lasting benefit for South Australia. So, on balance, I am supportive of this motion. The same thing happened in relation to Bio Innovation SA. The then premier, John Olsen, sent me to the United States (I think he was happy to send me anywhere) leading a delegation to have a look at biotechnology, and out of that came Bio Innovation SA. I think it highlights the benefit of not just MPs but senior people in the Public Service and business people going overseas together to look at what is done elsewhere, whether it is in biotechnology or wind farms.

I support this motion but, as I indicated, I think you have to have some regard for people who perceive a health risk. I do not share their concerns but I think any system in a democratic process should take account of people's views and values and preferences, and site these wind turbines, preferably offshore, where they will not negatively impact on anyone.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (12:03): Legitimising false science is dangerous, and legitimising false expectations is dangerous and, quite frankly, it presents a clear and present danger to this state's future prosperity, it presents a clear and present danger for the state's future investment priorities

and it creates an environment of sovereign risk. The Leader of the Opposition in another place, who is a good and decent man, and who I know quite well, and I think speaks passionately about issues that concern him, said this, and it is on his website:

There should be a complete moratorium on new wind farms in settled cropping land like this until their impact is better understood.

Health concerns, three-legged sheep, chickens not laying eggs, roosters not crowing in the morning, are all concerns that are legitimate, but let's not attribute them to wind farms and let's not be hysterical. This is from the alternative government of South Australia.

Wind farms have been distributed throughout the world, so we would be aware of legitimate health concerns by now. Of course, there are not legitimate health concerns. However, the alternative government of South Australia says that there are. What concerns me about all this is that the member for Waite, who is also a good and decent man who wants to see the state prosper, says wind farms are a good idea, but I think he has been rolled in his party room.

I think he has been rolled, and today he made a speech that he does not particularly believe in. I think today he used words that he wished he had not because, quite frankly, I do not believe he supports a moratorium on new wind farms. I know that he believes that that would create sovereign risk in this state, and I know that he believes it would put at risk up to \$5 billion worth of investment and nearly 1,800 jobs, but he has been locked in.

It is a pattern emerging in the Liberal Party: 'We are for the footbridge,' and arrange a protest against it. 'We are for the development of the Adelaide Oval,' yet encourage all those who say it is a waste of money.

Mr Hamilton-Smith: Clever strategy! Cunning!

The Hon. A. KOUTSANTONIS: He practises this in the mirror before he comes in the morning.

Mr Hamilton-Smith: The grand plan is unfolding. Thank you, Tom. We didn't realise where you were coming from but we do now. Thank you.

The Hon. A. KOUTSANTONIS: No, there is a whole series of these contradictions in the Liberal Party. One aspect is that MPs should not have second jobs, but they will not rule it out for themselves. Those are the two contradictions. We can go on: 'The government is creating a false economy,' but then boasts that all the chairs in this convention were Marshall Furniture chairs and, 'Isn't that fantastic?' 'Opposed to false economy, unless I am benefiting.' That is what we have here again: 'We are opposed to wind farms, unless of course it's in regional areas where we hold seats.' So, if you float, you are a witch and we will burn you; if you drown, you are innocent. That is Liberal Party policy and policy making. That is how they operate: they will say anything to anyone to get a vote.

The people of South Australia want courage, they want leadership and they want people who speak truth to power. They do not want platitudes. 'We want to cut the deficit and grow the economy.' How? With words. 'We are going to use words to grow the economy and cut the deficit. That's how we are going to do it. We are opposed to false economy, unless we are buying Marshall Furniture chairs, then it's exceptionally good. We are opposed to government grants unless we receive them. We are opposed to government spending in multicultural and ethnic affairs areas, giving community groups grants, until later on we leak it to the press and say, "This was a bad thing; it could have been spent somewhere else." We see this time and time again.

The most dishonest thing about this argument is that they know it is dishonest. They know there are no health risks, they know that it benefits regional communities, they know that it does not push up power prices, and they know that it is good for the environment. They know all these things, yet they pander to minority concerns. Why? Because it is easier than making the tough decisions, it is easier than speaking with courage in front of a community group and saying, 'You are wrong. This is good for South Australia.' That is what Tom Playford did.

I heard the member for Waite talk about the privatisation of ETSA. If the Liberal Party were ever courageous in their life, they would have gone to the 1997 election saying that they were going to privatise ETSA and then do so, but they do not have that kind of courage flowing through their veins. They might have done if someone else had won the ballot, but the current leader and the current crew who are running the Liberal Party have no courage. That is why they continually play on the fears of ordinary South Australians.

The way they want to win is by motivating people by anger. Get someone angry about something and then tell them who to blame, 'Oh, there are wind farms on your neighbour's farm, blame the Labor Party. Don't blame us, we just work here. Don't blame us, we are just parliamentarians. Don't blame us, we are just policy-makers. Don't blame us, we'll take money in fundraisers from people in the energy market, but we want a moratorium.'

Meanwhile, on the other hand the shadow minister says, 'Moratorium? No, no. It's all about the outcome of the committee. That's the important work here. Forget what we say, forget the policies that we announce, look at this obscure committee. That's the important work. That's where the work is really being done. Focus on that. Don't worry about policy pronouncements we make, they are just policy pronouncements. They are just words. They are just things we say. They are just things that we print on paper and put on the internet. They are not real.'

Seriously, does the alternative government of South Australia want to actually call a moratorium on \$5 billion worth of investment—based on what? On false science. The same reason they are opposed to the carbon tax—false science. To a person, they do not believe climate change is real, but they do not have the courage to say so. Why? Because they would be laughed at. But deep down, in Liberal Party sub-branch meetings, you can know that is what they are talking about; you know that is what they say, because their leader, their inspirational hero, Tony Abbott, says it is crap and they all believe it.

An honourable member: Andrew Bolt.

The Hon. A. KOUTSANTONIS: Andrew Bolt. The followers of Bolt and Abbott. They do not believe in science. They believe in pandering to small groups to try to get votes. That is not leadership. He looks down on you with shame. He looks down on you and says, 'What happened to the party I established in this state—people who stood up for what I believed in?' He knew that we needed to develop the Cooper Basin; he knew we needed to find an alternative to electricity, so he went out and looked for gas. He built Moomba, he built ETSA, he built Elizabeth, he brought Holland to South Australia and what do they do? They attack every single one of those initiatives because they have become tea party experts—that is who they are.

They do not believe in government intervention. They do not believe there is a role for government. They do not believe there is a role for any of us in this room to do anything for the people of South Australia other than motivate them by anger, by getting them angry about an issue and telling them who to blame. That is the lowest form of politics. That shows absolutely no courage, no leadership and, quite frankly, it is not the Liberal Party that I knew when I was a young boy growing up in Young Labor, because they were once people of integrity; they were once people who used to have policies. They used to believe in something. Now they believe in nothing! Now it is all spin and no substance. That is who they are: 'I look good in a suit, therefore vote for me. If you are angry about something, I will show you who to blame.'

Quite frankly, you cannot say one thing in Adelaide and another thing in the regions and expect to get away with it. How can the leader of the opposition say, 'No, there is no moratorium on wind farms', yet his leader in the upper house has it on his website? How can he say he supports a footbridge to Adelaide Oval yet arrange a protest outside Parliament House? How can he say he supports newsagents and franchisees and then vote against a small business commissioner? How can you do those things? How can you balance those two opposing ideas and say that they do not contradict?

The Greeks had a word for this. The Greeks had a word for this kind of behaviour. They had a couple of words for it. I know a few words in English too. They had a word for this kind of behaviour, Mr Speaker; it was 'hypocrisy'. Hypocrisy—they will say anything to anyone to get a vote. I have to say, every time they have intervened in the electricity market they have increased power prices. When we deregulated the power market and saw price drops from 9.1 to up to 16 per cent, do you know what they said? 'You should have done it ages ago.'

I went back and checked every single policy announcement they ever made, and do you know what? Since the privatisation of ETSA—which they were never going to do, but they did—they never once said we should deregulate pricing in South Australia. Not once! But when we did it, they said we should have done it ages ago. That is what we are up against, Mr Speaker—that is what we are up against. This Premier will lead—this Premier is leading; he is making the right decisions for South Australia. We have a blueprint, not five dot points on a page.

Mr GRIFFITHS (Goyder) (12:13): I think it is fair to say we hear a lot of interesting words in this place. The member for Torrens reflected upon Sir Thomas Playford.

The Hon. A. Koutsantonis: West Torrens.

Mr GRIFFITHS: West Torrens. The member for West Torrens reflected upon Sir Thomas Playford, the premier from 1937 to 1965. I hope he would look at me with a little bit of pride about the way in which I conduct myself as a member of parliament and the way in which the Liberal Party conducts itself in parliament.

Members interjecting:

Mr GRIFFITHS: Okay. There are a lot of words said in here that reflect sometimes the truth, sometimes a shandy of that and sometimes things that I just find that I cannot even believe. I come to this contribution today from the point of view of having lived through wind farms a lot in the last 18 months. Nearly daily I have spoken to people. I am not like a lot of other members who reside in a metropolitan seat. They know that wind farms exist in regional areas; they might visit them. I live near one. I live near the people who actually make their livings there. I live near the people who have to live near wind farms, and I live near the communities that live near wind farms.

I will put on the record that, as part of a previous job as a local government CEO, I approved of a wind farm—55 turbines at Wattle Point, near Edithburgh. The council approved of that one; it was not Development Assessment Commission. There was no process in place then to allow it to be treated in a different way, as I understand it. It did cause some unrest in the community. The council of which I was CEO went to Portland in Victoria to look at a turbine area at Portland, because it wanted to know physically what they were like. It is that physical aspect of it that allowed a decision to be made, but the Ceres project—and that is the one I am going to talk about predominantly today—is one that really has become front and centre for me, because it is something I have lived with ever since August 2011 when it was first announced.

When it was first announced, I was actually quite excited by it, because I am a pro-development person by principle. But in pro-development, I am also consoled by my thought that as a socially responsible person there is a triple bottom line that has got to be reviewed in this. I am not against the development. I have never said anything publicly against the development. What I am about, though, are the issues that the community has to consider, and there are three sides to that.

There are those who are hosting it, and there are 36 families that have agreed to host the wind farm on Yorke Peninsula and the Ceres project. That is 36 families that have been there for at least two or three generations, who have agreed to host it because it provides them with an opportunity. For them, it is an economic diversity opportunity. There is the company that has proposed the application, and there is a property owner in the area who has worked for a long time in getting a proposal up. He has got some corporate interest, they have contacted property owners, some have said yes, some have said no, some are vehemently against it, for a variety of reasons probably, but the ones that have said yes deserve to be respected.

When I held a public meeting on Yorke Peninsula on 17 February, I was asked specifically by one person, who is not a Liberal Party member—I know him from going to church sometimes. He lives not that far away from me. He said he wanted me to state my case on it and what my firm position on it is. I do hold a personal position, but it is not my member of parliament responsibility. My role is to ensure that all sides of the issue are equated.

I gave him that answer, and I do not think it was liked by people, but it respects the 36 that say yes, and it respects the company for putting the proposal forward, which is 199 turbines. They are 150 metres high each, three times as high as the grain silos on Yorke Peninsula. They are 40 kilometres long by 20 kilometres wide. That is the sort of scope of the development you have got to understand: it is 18,000 hectares. It is not a small issue; it is the largest in the southern hemisphere. I also respect those property owners who are either neighbours or adjoining it or indeed the surrounding coastal communities and central towns that have issues.

At the public meeting that I held, there was a fairly large invitation list. There were three parties unfortunately not able or who chose not to attend. One was minister Rau, one was the Development Assessment Commission—and in place of Mr Rau, I was quite happy to accept someone from the Department of Planning—and REpower. REpower had conducted information sessions about a month before that. They had been somewhat controlled, but there were three opportunities at least for people to come and listen, and they could go multiple times if they chose to.

The session that I ran, though, was purely as an information only one. It was never intended for a vote to be held, but it was based upon information provision, and that is what has always been the key thing for me—to get information out there and let people make the decision, and let them put a submission forward if they so choose. I am frustrated for the life of me that the political games have seemingly been played as part of this motion, because it is an absolutely important issue in regions that are dealing with these projects.

When it was first announced, I had a property owner who came to me—I know him casually—and who said, 'They proposed it, it is next to me, and I do not want it personally, but I am happy for it to be next door.' I respect his attitude towards that, but the important thing he forced upon me was that it cannot be allowed to impact upon the management principles of his farm. That was a position that I took to the very first meeting of the Ceres project when they told the Yorke Peninsula Council about it. Since that time, there have been a lot of words said, but it is still an absolutely important issue. That is why, when the sightings positions came out not that long ago, with the fact that some were on the boundary and therefore impacting on adjoining properties, that is an absolutely key issue for people.

I am also very concerned about aerial firefighting and water bombing situations. Those of you who have had to live with fires in your area would understand the importance of aerial firefighting to control opportunities. In a meeting I had with the CFS—it was David Pearce, who is their director of aerial operations, and Greg Nettleton, their chief fire officer, on 17 January or thereabouts—it was put to me that their position is that they cannot go within 500 metres of a turbine. That takes aerial support out of 18,000 hectares—40 kilometres by 20 kilometres long and wide, or 800 square kilometres. It puts a community at risk.

Until I have got some answers to those sorts of issues, I have a great difficulty in openly saying yes to it, because I am a person that deals in facts. That is what this parliament should deal with all the time—facts. The member for West Torrens talks about medical issues. I chose not to have anybody talk about medical issues at my public meeting, because it is unproven. I respect that. I wanted people to actually consider factual issues that they could see, appreciate and understand the implications of, and then make a decision on.

The buffer distance debate has also occurred ad nauseam today. It is a policy of calling for a moratorium on development that proposes turbines within two kilometres of a known uninhabited home and five kilometres of a township. That is the policy of the Liberal Party; that is the policy that was made known in my case, certainly with the Ceres project people. It is fair to say that, after that, there was not a lot of conversation between them and me. They told me the impact that would have on their development proposal.

I respect the fact that, even though I had problems with the first version of the ministerial DPA put out by minister John Rau in October 2011, he has revised that based upon advice given by the community—I think he quoted 253 submissions made through the group led by Mario Barone—and he put out an adjusted template that became law in October 2012. It returns some of the appeal rights and it does recognise the importance of agriculture, as we should recognise the importance of agriculture. These are important issues.

The select committee is meeting because there has been a demand from five independent people who represent different parties in the upper house to come together to consider submissions. They will not submit a report until October, but that committee has to be given the opportunity. The debate is frustrating in some ways because it is a federal government policy that actually drives the investment—it is the renewable energy certificates.

For those who do not know it, I asked the developers outright when they were in my office on, I think, 3 January. I said that it is my understanding that if you spend \$1.3 billion—that is the level of investment—you will get a renewable energy certificate credit of \$90 million per year until 2030; it is about a 7 per cent return. I have seen others that vary up to 11 per cent depending upon the cost of it and how much electricity is generated and that sort of thing. As I understand, it is that sort of policy which is supported by both parties and it creates the economic environment for this to occur.

As the Liberal Party we want to see economic diversity occur. As a local member of parliament I want economic diversity to occur, but a debate needs to be held about the conditions around it and the conditions that are attached to the approvals that are issued and the conditions that are considered by the authority that considers it, because you have to get it right. The Development Assessment Commission and the Ceres project will invite submissions by 28 March.

Those submissions are then considered and they go as a recommendation to the member of Enfield as the Minister for Planning. He is the person, as I understand it, who is charged with making the decision.

The Premier has already basically said he wants it to be approved. There are some sections of the community, I understand, that want it to be approved, but it is the issues of real people that need to be addressed—and they are the people who we represent in this place. It is the real people who need to be addressed, but unless they get a voice of their own and unless they get a chance to put in their submission, they will not be truly heard. The debate needs to occur in the parliament, but it should not be a debate based around political opportunity, it should be a debate based around the real issues of the people of South Australia. I hope that the right decisions are made for all in the future.

Mr PEGLER (Mount Gambier) (12:23): In the first place, I would intimate my strong support for wind farms, but those wind farms must be in the right place. The planning minister put out a ministerial DPA in late 2011. I believe that the member for Fisher and I were the only ones who put in a submission to that ministerial DPA. To those who now complain about that ministerial DPA, it is just a pity that they did not put in their submissions at the time. I do not know whether they did not because they were too lazy or just could not be bothered, but that was the time to actually address the planning of those wind farms. I will read out a bit of my submission. It states:

I wish to register my objections to the proposed Development Plan Amendment. I have read the [DPA] in conjunction with the District Council of Grant's Development Plan and have based my comments accordingly.

I object to the separation distances of 1 kilometre from residences, and 2 kilometres from townships, rural living areas etc., on the grounds of ascetics, particularly in closer settlements as occurs predominantly in the Lower South-East of South Australia. These distances should be at least 2 kilometres and 5 kilometres respectively.

The jury is still out on potential health issues arising from residential properties and wind farms within close proximity to each other and until there is full clarity on these health issues we should tread very carefully.

In saying that, I do not support having a moratorium. I just say that we must tread very carefully when considering wind farms close to residences. It continues:

There is also a problem with vacant parcels of land in both primary industry and horticultural zones that could be drastically reduced in value if people can no longer or would no longer wish to build a home on those vacant properties that are within these zones.

The properties do not adjoin the proposed wind tower areas but are within the required separation distance. It states:

I also do not support the recommendation that certain wind farm developments will be assigned Category 2 for the purpose of public notification, with only adjacent landowners and occupiers being afforded notification, can make representations, but there are no third party appeal rights.

There are a number of unanswered questions contained within the DAP, including how much information has been sought from the Civil Aviation Safety Authority regarding clearance required for planes and helicopters to fly when carrying out agricultural spraying or firefighting. These are common occurrences which may be blocked due to the potential dangers associated with these activities and wind farms.

I might also point out that if one of those wind turbines does catch alight, the CFS now believe that they should not go any closer than one kilometre because it is actually throwing stuff out up to that distance, so it is something we have to be extremely careful of. It continues:

I also question whether councils have to change their own DPAs where at the moment primary industry zones place high values on scenic qualities and rural landscape.

I now turn to the first part of the motion before us, that is, 'Wind energy is one of the most cost-effective and efficient forms of renewable generation.' I think we have to be honest with the people and let them know what it actually does cost to generate the power.

A classic example was the residential solar rebate scheme in this state, when everybody thought that the government was subsidising those people but in actual fact it was the other users of electricity who perhaps could not afford those solar panels who ended up paying for those people who benefited. We should have clarity on what the actual costs are to generate the power from wind farms. I have no problem with the fact that it will be dearer and that it is probably one way that we should be going, but we should be honest with the people on what it actually costs.

The second part of that first part of the motion states 'and plays an important role in reducing our level of greenhouse gas emissions'. In the Premier's address yesterday, he said that every megawatt hour of wind energy cuts about one tonne of greenhouse gas emissions. I just

point out that when we quote those figures we should take into account what the carbon imprint is in building the wind farm in the first place and then, if you are going to quote figures on how much greenhouse gas is being saved, it has to be the net amount after the cost of construction. We must also measure those megawatts on the actual megawatts used or generated, rather than the potential generation, so that you are actually giving factual and proper figures; other than that, I support that first part of the motion.

The second part of the motion, that 'South Australia has established itself as the nation's leader', etc., I certainly support. Within the South-East, we have large wind farms, and they have generated a lot of money for those farmers who have them. They have also generated a lot of employment for individuals and different businesses that have assisted in constructing those wind farms. The third part of the motion states, 'The development and construction of wind farms across the state delivers economic and environmental benefits for all South Australians.' I think in the 'environmental benefits' we should also be addressing the aesthetics for some people. In those closer settled areas, the aesthetics may outbalance the environmental advantages, so we must tread carefully there.

In addition to the direct employment generated by the construction/operation of wind farms, these projects also bring investment to regional towns and help farmers. I just mentioned how much benefit many people in our district have had. As to point No.5, that non-evidence based policies undermine investment in energy projects and damage South Australia's economic and environmental development, I think we must bear in mind what happened with the proposed Allendale East wind farm, where the courts actually threw it out because it was going to have an adverse effect on the aesthetics of the region, so it is not always non-evidence based.

I support the fact that perhaps some of the health issues do not have the evidence, but we must tread very carefully as far as the aesthetics go. Placing a moratorium on wind farm developments would have significant adverse economic consequences for South Australia, including the potential loss of thousands of jobs and billions of dollars of investment. I support that fact; I do not believe a moratorium is necessary, but we have to tread very carefully on where we do and do not approve wind farms. I intimate that I will support the motion based on that.

The Hon. P.F. CONLON (Elder) (12:31): I rise, I think for the first time ever as a backbencher to speak in this place, since 1997—

The SPEAKER: No, you were a backbencher, were you not—

The Hon. P.F. CONLON: Very briefly, yes.

The SPEAKER: —from 1997 to 2001.

The Hon. P.F. CONLON: That's right; they were clinging to government, refusing to accept the richly deserved verdict of the people, as I recall it.

The SPEAKER: We would not want to forget your contribution in that capacity that John Olsen was in more trouble than a duck in a log in Macau!

The Hon. P.F. CONLON: Yes, I think we will leave that, Mr Speaker. On this subject it is interesting to hear—and the great thing about a democracy is that everyone is entitled to their view. I would say with regard to some of the things I have heard that, given a choice between having within a kilometre of me a wind farm or a coal burner, I will go with the wind farm every time. I have seen promotional material about this state that puts on it, as part of our international reputation as a clean green place, photos of wind farms. I have never seen promotional material with photos of coal burners or even gas burners, because people obviously do not find them attractive and, quite frankly, for very good reasons.

The wind farm industry is a mature one. The technology has been around for a long time. I must disagree with the member for Mount Gambier, which I do very infrequently, because he is one of the few people I am frightened of getting on the wrong side of, because anyone who smokes White Ox tobacco has to be a hard nut, I reckon. I have not seen anyone smoke it who is not in prison in fact, but that is another matter. This is a mature industry and there is not one skerrick of proof to support any health effects of wind farms—there is not.

I happen to have my own personal views on things. It seems that supporting the Crows makes people sillier than the average run of people, but I would not put it forward as a scientific reason to refuse applications by them because I would have to admit that my viewpoint may not have much basis in science, even though it is rather good fun promoting it. The truth is that we

must deal, as responsible legislators, with the science as we understand it. It is the way we have dealt with carbon and the way we should deal with these matters.

There is undeniable science around the effects of particulates from electricity generation by the burning of coal, and a great deal of science around the production of carbon. There is absolutely no science—none whatever—to support any health detriment from wind farms. Most importantly to me in this debate is this willingness of the opposition to disregard the rule of law when it suits them. The truth is that what is proposed by a moratorium is a proposal that certain proponents, because of a bias or a prejudice the opposition holds—or which they hold on behalf of someone else—should not be able to apply under the rule of law for a project.

The intelligent proposition, if they believe what they say, and I suspect they do not, would be that they advocate the law that should apply to these projects, under what law people should be able to make application, and I note the member for Goyder makes some good points in this regard. The notion of a moratorium is simply a disregard for the rule of law. It is a proposal that a motion in prejudice should overcome law. That is a very dangerous path down which to go. If the opposition has genuine concerns about the planning regime for wind farms they should agitate those. They should say, 'These are what the rules are.' If they somehow believe that there should not be wind farms in South Australia, have the courage to say that.

There being a disturbance in the Strangers' Gallery:

The SPEAKER: Member for Elder, could you be seated. Would the security staff please remove that man from the house. It is not within the rules to be using flash photography. I have permitted photography, but not members being assaulted in their place by flashes.

The Hon. P.F. CONLON: It's just another example of me falling victim of my own fatal charm, Mr Speaker. You should offer tolerance in that regard. It is a burden I have had to bear for a very long time! I will wrap up, Mr Speaker, but I want to make this point: you simply cannot offer yourself as a serious alternative to government if you are going to disregard the rule of law. The people who make their application should be entitled to the law. If they believe the law is wrong they should advocate to change it. They have a capacity to do that. We have certainly seen private members' bills, on many subjects, from them, but they cannot simply say that the law should not apply for a period of time because we do not like it and we think there is some political advantage in it.

Mr WILLIAMS (MacKillop) (12:37): I would like to make several points with regard to this debate, and reading the motion, as proposed by the Premier, he makes several claims in the motion. One is that wind farms play an important role in reducing our level of greenhouse gas emissions. Another one he keeps talking about is delivering economic and environmental benefits. Let me address both of those.

First of all, I refer to greenhouse gas emissions. When the wind blows, wind farms generally bid into the market and get dispatched. When the wind does not blow, we rely on thermal power stations principally to provide our base load. Members may or may not have an understanding of how a thermal power station works, but generally what happens is, you burn some sort of fossil fuel to boil water and then once you have heated the water to 100 degrees centigrade you actually boil it and turn the water into steam. That takes a lot of energy. I suspect that most members of the house do not understand the principle of latent heat and the conversion from the state of liquid to the state of gas, but the reality is that is why steam is used as a source of energy, converting from a fossil fuel to an energy like electricity that we can use.

But if I am running a thermal power station, like at Torrens Island or at Port Augusta, and the wind starts blowing and all of a sudden the market operator rings me up and says, 'No, we don't need your electricity anymore. The wind is blowing and we are going to dispatch all these wind farms,' I cannot switch off my boiler because in a couple of hours' time I might need it again because I will get another call from the market operator who says, 'We need your energy now.' You cannot switch a boiler on and off.

The first time I visited the Port Augusta Power Station, which was many years ago when I first came into this place, it was explained to me that it took about 24 hours to start up and make it operational from a standdown position. Even at Torrens Island, which is much quicker to fire up and lower it down, cannot be done in a matter of minutes or even a matter of hours. It is a long process. By and large, what happens is that when the wind blows, the thermal power stations keep their boilers operating.

An engineer in Victoria about 12 months ago did a study into this, using figures from the energy market regulator based on what happened in the Victorian marketplace and he proved conclusively that wind farms made no difference to the amount of brown coal that was consumed in Victoria because the boilers were kept running for the eventuality of when the wind stopped blowing, which always happens. So, the claim that wind farms contribute to our environment by reducing the amount of carbon reduced to the atmosphere is nonsense, a myth.

The other claim that the Premier makes in his motion is about the economic benefits to South Australia. The member for Waite presented the case very well. What the people of South Australia really are concerned about is the price that they are paying for electricity. The Premier told us yesterday that we have invested about \$3 billion in renewables, principally in wind farms in South Australia. Who is paying for that? Well, it is the electricity consumer. Every time they buy electricity, they are paying for it.

Why are they paying for it and how are they paying for it? They are paying for it principally through the renewable energy certificates (RECs) that the member for Goyder talked about. Isn't it funny that every time a megawatt hour of electricity is reduced by a wind farm, a renewable energy certificate is created and that is traded. The going price today is about \$37. They range from \$35 to \$40.

The Premier told us again yesterday that for every megawatt hour of electricity produced by a wind farm saves us about a tonne of carbon. I have just debunked that; it does not actually save us. That is the theory but in practice it does not. However, even if the theory worked, we are paying through the renewable energy certificates about \$37 per tonne of carbon. That is a lot more than what our federal government has suggested we should pay to ameliorate our carbon footprint through the carbon tax. That is \$23 a tonne. There is a big difference between \$23 and \$37. That is one of the major reasons why electricity prices in South Australia have gone through the roof.

Wind farm operators, as the member for Goyder pointed out, are making a killing because they are being subsidised by electricity consumers across this nation. They are making a killing. The member for Goyder told us about how the serious wind farm proposal on Yorke Peninsula will make a 7 per cent return on the investment—and that is before they sell one megawatt hour of electricity.

One of the problems is that wind farm operators—and I was just talking to the member for Goyder about this—quite often bid in a price which is negative. They bid in to the market operator that they will pay to supply. They might pay \$5 a megawatt hour. Why do they do that? Because it guarantees that they get dispatched and they get the \$37 back for the REC that is created and they make a \$32 profit. It is distorting the market; in fact, it has made a mockery of the market. As the member for Waite said, that is why we have not had any investment in South Australia in baseload power (the cheapest form of producing power) for a long time—in fact, since we were last in government.

So, the wind farm proponents get a free ride, as well as the \$37 for the RECs. As well as being able to sell electricity, they get a free ride because they hook on to the network that you and I and every other mum and dad and business in this state pays for. They get that for nothing. Indeed, we now have a proposal by ElectraNet, which maintains our transmission network in South Australia, to upgrade the Heywood interconnector, build new capacity at Heywood just over the border in Victoria to allow the export of wind farm produced electricity out of South Australia into Victoria.

It is a bit over a \$100 million project. ElectraNet will be paying, I think, \$64 million towards that project. Who will pick up the tab for every one of those \$64 million? You've got it—South Australian electricity consumers, not those people in Victoria or New South Wales who are using that green energy. South Australian electricity consumers will pay every one of those \$64 million. That is why our electricity price is going up.

That is the classic example of what people refer to as gold plating. That is gold plating and the government of South Australia knows about it because the former premier talked about it in a press release he put out, I think from memory, in July 2008 when he released the green grid report. He identified then that we needed some rule changes to the market rules to prevent that from happening. His minister at the time and subsequent ministers have failed to achieve any such rule change. That is why South Australian consumers continue to pay for infrastructure that only benefits two parties, the first being the owners and operators of wind farms and the other being consumers interstate. I ask myself on a very regular basis: why would we do that?

I accept that South Australia is obliged to meet the renewable energy target. I accept that, and we have overshot the mark already. We should have always aimed to meet our 20 per cent obligation as everybody in Australia does. The moment we go above that—and the Premier said we are already at something like 26 per cent—we are wasting our money. This is another reason why South Australian businesses cannot compete against those interstate, because they are not wasting their money. They are quite happy to see us waste ours.

It was Peter Drucker who said that there is nothing so useless as doing efficiently that which should not be done at all. I maintain that for us to be continuing to build wind farms in excess of what we need to meet our obligation is a nonsense. It is a very expensive nonsense; it does not help our economy and it certainly does not help the environment. This whole argument is based on a myth and it is a pity that the people of South Australia have not woken up to it.

CHAMBER PHOTOGRAPHS

The SPEAKER (12:47): Before I call the member for Morialta, I understand that Liberal Party activists have been in the gallery taking photographs for use in campaign literature using a flash. It is only the use of the flash that I object to, and I hope members would support me in regarding the use of a flash as an invasion of the house's dignity. The new rules permit the taking of pictures and their use for election material, so it is not on the basis of the identity of the person that I made my ruling. It is the use of flash photography. The member for Frome.

WIND FARMS

Debate resumed.

Mr BROCK (Frome) (12:48): I will be very quick because I understand there are a few more who want to speak before the lunch break. Let me say straight out: I am very supportive of renewable energy and certainly it is the way we should be going for the future. However, wind turbines are not the only renewable energy we should be looking at. I believe we should also be looking at solar opportunities in conjunction with wind turbines to be able to go forward in this great state.

In my electorate, I have wind turbines at Clements Gap, the Clare Valley, Waterloo and Snowtown—with the Snowtown second stage being built at the moment—and it does come as a great economic support for those communities. I was at the Snowtown community association on the way to Adelaide on Monday night and they were talking about the project there, and the deli, the hotel, the accommodation and so forth are all benefiting from that.

One of the things that I wanted to make mention of is that generally the public is very supportive of wind turbines but I have one location in my electorate—Waterloo—where it is a big issue. It has decimated the whole of the community to the degree that there are some issues with the direction of the wind and the turbines. Certainly, there is no proven history of any health issues; however, it has split that community and that is a bit of an issue from my point of view.

The member for Goyder has made it very clear that we are here to represent people, and we have to take on both sides of that. Let me just say also that the landowners themselves who have wind turbines on their land do reap a financial reward, and that money is then spent back into the local community, which is a great economic boost.

I certainly think that we should be looking at not only the wind turbines but other opportunities. I also think that, going forward, we must look at the iconic locations and that maybe there are certain locations in this state where we should not be putting wind turbines because of the artistic image, etc., and I encourage looking at that issue when they give the approvals. I will certainly be supporting this, but I have concerns for the people of Waterloo, in particular, because there is a bit of an issue down there.

The Hon. L.R. BREUER (Giles) (12:50): I will keep my contribution very short because of the time frame. I have been a very long-term supporter of wind farms. In fact, when I was the chair of the ERD Committee back in 2003-04, we did a report that answers a lot of the questions that are talked about because it was a very extensive report that made many recommendations. A lot of the nonsense spoken about wind farms now was talked about in those days, and it saddens me to think that 10 years later we are still going back to those same issues.

At around that time, I also spent quite a bit of time looking at wind farms in the UK. I have probably visited more wind farms in Australia than anyone else in this place, except perhaps the

ministers, because I have kept up that interest, as I have had a long-term interest in it, as I said, and visited many wind farms.

I mainly want to talk today, though, about the main recommendation that came out of the ERD Committee, that is, you really do have to be very careful with the siting of the wind farm. You do not put it in people's backyards if they are feeling unhappy about it. You certainly would not put a row of them along the top of the Flinders Ranges overlooking the gulf, and you would not put them on top of Mount Lofty. You need to be very careful about the aesthetics because people do not want their scenery destroyed; however, apart from that, there was no other major issue that this committee came up with.

I am particularly pleased with what is happening locally in Whyalla, and the economic benefits to Whyalla at the moment, because of course E&A Contractors—a big company in Whyalla—is actually building something like 22 towers for the Snowtown 2 project which is happening. That has really been very exciting for Whyalla. I was very pleased that the federal government also actually recognised this and put in a considerable amount of money to assist them with this.

The long-term benefits are that they will build these towers for Snowtown 2, and I presume they will go on to build towers for all over Australia, so it means many years of work for Whyalla. Whyalla has not been wiped off the map, as Tony Abbott said would happen, and we are certainly going ahead. I find it really exciting that, when I go home now, I go past E&A Contractors—a firm that has been there for something like about 40 years—and see the bottom of a huge turbine poking out of their huge shed. It is very exciting for Whyalla to see this happening. We have a lot of local people employed there, and we look forward to a very strong future.

I fully support wind power. I think we need to get into the 21st century and get real. We need to be thinking about our children, our grandchildren and our planet and, to me, this is a way. The only way that we can look ahead is to look at alternative sources to the current power we have.

Dr CLOSE (Port Adelaide) (12:53): As the nation with the highest per capita greenhouse gas emissions in the OECD, I regard it as our responsibility—one that we owe both ourselves and other nations around the world—to support and encourage investment in renewable technologies which will reduce our dependence on fossil fuels, not least because fossil fuel derived electricity is responsible for over one-third of Australia's greenhouse gas emissions. The reality that we and all jurisdictions around the globe must face is that our climate is changing and that our future economy cannot be dependent on high carbon emitting technologies. The future is coming and we are best served by preparing for it now.

In Australia, we have just ended our warmest summer on record. All states and territories had above average maximum and minimum temperatures for the period of December through to February. January 2013 was Australia's all-time warmest month on record. On average, during February 2013 Australia received rainfall that was 78 per cent of average, but we would all be aware that some coastal regions received higher than average rainfall due to various severe storm systems. Many households and businesses were adversely affected by these storms, suffering under dangerous flood conditions.

As the years pass, we are seeing more and more of this. Australia's already wild weather is getting wilder. I believe that to deny this is both irresponsible and unfair to the people we are elected to represent in this place. If we can make a difference in the pace of climate change by reducing our carbon emissions, if we can avoid shirking responsibility and leaving this problem for future generations to solve once it is far too late, then my view is that we must pursue all feasible means of achieving fewer emissions.

In South Australia, of course, our government has been working hard to support the establishment of renewable energy industries, and we are seeing the benefits of this hard work through the growth of our renewable energy sector and its production capability. Our state has been the national leader in the uptake of renewable technologies, particularly wind and solar. The Australian Energy Market Operator estimates that in 2011-12 approximately 26% of South Australia's energy generation came from wind power alone. This means that in taking account only our use of wind energy, our jurisdiction has already surpassed the Australian Government's amended Renewable Energy Target to provide 20% of Australia's electricity generation from renewable energy sources by 2020. It also means that we are well on track to meet South Australia's target of 33% of total energy production by 2020.

So we are making good progress, but we must not rest on our laurels if we are to make real gains towards eventually achieving zero emissions for energy generation in South Australia. We must continue to do all that we can to ensure that the climate for investment in renewable technologies is stable and that our policy environment is conducive to investment.

We must make it clear to investors and to industry that we are friendly to investment in wind energy, and that while we must also ensure that we are balancing the needs of the community with the progress of industry, we believe that supporting renewable energy investment is in the greatest long-term interest of South Australia and its community.

Sustained investment in renewable technologies will create jobs in South Australia. It will help to reduce our emissions and, very importantly, it will go towards easing the burdens faced by our children and their children around the ever-growing need for clean energy generation.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (12:56): I thank all members for their contribution to the debate, especially those members who have indicated their support for the motion. Just to remind members, the purpose of this motion is to send a clear expression of intention from this parliament about our commitment to wind energy in South Australia.

The reason that has become urgent is that a whole range of industry sectors have expressed their alarm at the way in which the present debate is emerging across the nation and in particular in relation to South Australia, where one of the major parties has called for a moratorium. So, it is important that this parliament expresses its clear intentions about this matter so that we can create a very strong message that this is a stable and secure investing environment.

In that regard, it is disappointing that the Leader of the Opposition has not made a contribution to this debate. It is telling, I think, that he has decided not to make a contribution. It would have been an opportunity for him to stand together with me in making it clear that the Liberal Party stands together with the Labor Party in supporting this position. Instead, we have had a series of contributions which have largely cast doubt on the sentiments that exist within the motion that we promote.

It is disappointing that the Liberal Party has not chosen to take the opportunity to resolve its internal debate. To the extent that it has resolved its internal debate, it seems as though the member for Waite has not prevailed, which is disappointing. My intelligence had been that he was going to lead the debate internally within the Liberal Party to try to overturn what was, I think, quite a damaging and nonsensical proposition of this moratorium.

This was an opportunity to do that so that we could wipe off that idea and send a very clear message to the investor community. Nevertheless, a resolution, if it is indeed passed, will still make an important contribution to expressing the views of this chamber, especially if it is passed with as much support as we can muster. So I urge members to vote for this motion. It is important for the future prosperity of South Australia and the health of our community.

Motion carried.

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

STATUTES AMENDMENT AND REPEAL (TAFE SA CONSEQUENTIAL PROVISIONS) BILL

The Hon. G. PORTOLESI (Hartley—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy) (14:00): I have to report that the managers for the two houses conferred together and that no agreement was reached.

PUBLIC WORKS COMMITTEE WITNESSES

Mr HAMILTON-SMITH (Waite) (14:01): I have a point of order, Mr Speaker. I rise on standing order 335 which deals with the powers of a committee to send for persons and records, and standing order 336 which provides that the chairman of a select committee directs the secretary to summon the witnesses to be examined before the committee.

This morning, at the Public Works Committee, which met at 9.30am to hear evidence on the \$16.5 million Wayville Railway Station project, summoned to attend were Mr Rod Hook, Chief Executive of DPTI, and Emma Thomas, Deputy Chief Executive, DPTI, along with Luigi Rossi,

Executive Director, Strategic Public Transport Projects. As the witnesses presented, only Mr Luigi Rossi attended, in the company of a subordinate manager within the department, whose attendance had not been notified to committee members.

Committee members were advised that either the Premier or a minister, or someone else in authority, had directed that the senior witnesses, the most important witnesses, Mr Hook and Ms Thomas, were to attend a media event elsewhere, despite having been given notice and summoned to attend at the Public Works Committee. In the view of certain members of the committee the absence of these two important witnesses prejudiced the committee's consideration of the matter.

Standing order 383 makes it clear that witnesses are summoned to attend before the house by summons under the hand of the Speaker, or before a committee by summons under the hand of the secretary. I draw this to your attention, sir, and ask that you look into the matter and consider whether standing orders have been breached or whether the committee has been treated with contempt and, in doing so, advise what action you feel is appropriate.

The SPEAKER: Member for Waite, is the suggested course of action that I direct the Serjeant-at-Arms to seize Mr Hook and his companion? Is that your suggested course of action?

Mr HAMILTON-SMITH: I am looking for your advice, sir, on what you think is appropriate to ensure that the respect and integrity of the committee process is observed.

The SPEAKER: I will give that my earnest consideration. I would need to get advice on whether it was a formal summons or whether it was merely an invitation to turn up to the committee. Obviously, there would be different consequences for the two.

CHILDCARE SERVICES

Mr HAMILTON-SMITH (Waite): Presented a petition signed by 1,223 residents of South Australia requesting the house to urge the government to support the establishment of a Select Committee to investigate the availability and affordability of childcare services in South Australia.

ANSWERS TO QUESTIONS

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

GAWLER RAIL LINE

In reply to **Ms CHAPMAN (Bragg—Deputy Leader of the Opposition)** (30 October 2012).

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 date was 7 May 2012.

RECREATIONAL BOATING FACILITIES FUND

In reply to **Ms CHAPMAN (Bragg—Deputy Leader of the Opposition)** (30 October 2012).

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 total levies collected under the facilities fund in 2011-12 was \$2.929 million.

RECREATIONAL BOATING FACILITIES FUND

In reply to **Ms CHAPMAN (Bragg—Deputy Leader of the Opposition)** (30 October 2012).

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 total payments made in relation to the facilities fund in 2011-12 was \$1.035 million.

GAWLER RAIL LINE

In reply to **Ms CHAPMAN (Bragg—Deputy Leader of the Opposition)** (30 October 2012).

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 Gawler Line Modernisation Project approved by the Federal Government includes electrification, resleepering and station upgrades on the Gawler Line.

No state government contributions have been made to this project.

BOATING FACILITY ADVISORY COMMITTEE

In reply to **Ms CHAPMAN (Bragg—Deputy Leader of the Opposition)** (30 October 2012).

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:

During 2011-12 all recommendations from the Committee were approved.

GAWLER RAIL LINE

In reply to **Ms CHAPMAN (Bragg—Deputy Leader of the Opposition)** (30 October 2012).

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:

1. The \$42.5 million referred to in the Auditor-General's Report was part of the revenue received in advance. On 7 May 2012, \$90 million was paid in total to South Australia for the Gawler Line Modernisation works, which included the advance payment of \$42.5 million.

The total revenue received by the state from the Federal Government in between 2009-10 and 2011-12 inclusive equalled \$258.3 million. Total expenditure incurred over the same period to 30 June 2012 was \$217.3 million, resulting in the amount of revenue unspent of \$41 million as at 30 June 2012. The \$41 million advised to *The Australian* on 2 September 2012 was the difference between total revenue received and total expenditure incurred for Gawler Line Modernisation works as at 30 June 2012.

2. There is only one funding agreement for the Gawler Line Modernisation project incorporating electrification, resleepering and station upgrades.

MENTAL HEALTH SERVICES

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) (14:05): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.J. SNELLING: This government has made an unparalleled commitment to improving our state's mental health system. In 2007 the Social Inclusion Board presented to the government its report on mental health reform: 'Stepping up: A social inclusion action plan for mental health reform 2007-2012'.

The board recommended the establishment of a new 'stepped' system of mental health care to suit the various stages of a person's mental illness. When the board handed down its recommendations, South Australia had 513 inpatient and forensic beds in a model of care that failed to address the various stages and needs of mental health consumers. Over the last five years we have been dedicated to improving mental health care in the state.

This has not only been through a massive investment in resources but also supported by the introduction of the Mental Health Act 2009. Since 2007, the Labor government has invested more than \$300 million to improve our mental health services and infrastructure. Because of our reforms and investment, the new system is offering more options for care, treatment and recovery,

and delivering more beds and services closer to where people live in the community, including in the country.

When all the infrastructure is completed in 2014, South Australia will have 615 beds and places across all care types, an overall increase of 102 beds and places. While these reforms continue to be implemented, it has become clear that there are still areas that need attention. There have been cases that have recently come to my attention where, in my view, patients have stayed an unacceptably long time in emergency departments awaiting access to acute mental health care.

Whilst I acknowledge the benefits of a stepped system of care, as mental health minister I need to make sure that we have the balance right. It is the proper role of emergency departments, as the first point of call, to ensure that patients are stable, particularly those who present with heavily drug-induced symptoms. That can mean that mental patients are required to remain in emergency department care until their condition stabilises.

However, while we will always have times of peak demand, we need to make sure that our emergency mental health patients are receiving the most appropriate and timely care. That means having the right environment and the right specialist care for what everyone acknowledges are some very complex health care needs. The safety of our emergency department staff and patients also must be a priority. That is why we have asked SA Health to undertake a swift review of the performance of the system since the introduction of these new reforms.

This review will assess the balance of acute and non-acute mental health services and beds, particularly during peak demand. It will report specifically on capacity and processes in Adelaide's south and advise on ways to address unacceptably long stays in the Flinders Medical Centre emergency department. In doing this, the review will be asked to assess bed coordination and patient flow, and examine the core underpinnings of emergency response across the state.

The government's reform and investment in our mental health system has been significant and is designed to confront the growing issue of mental illness experienced across the nation. However, as with any major change in government policy, it is appropriate to evaluate how the changes have been implemented and to address any unintended consequences. This way we can make sure that the measures we have already taken are delivering the best possible outcomes for the community today and meeting the demands of the future.

PAPERS

The following papers were laid on the table:

By the Minister for Communities and Social Inclusion (Hon. A. Piccolo)—

Supported Residential Facilities Advisory Committee—Annual Report 2011-12

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

Access to Water and Sewerage Infrastructure Report—February 2013

LEGISLATIVE REVIEW COMMITTEE

Mr ODENWALDER (Little Para) (14:10): I bring up the 23rd report of the committee, entitled Subordinate Legislation.

Report received.

QUESTION TIME

GOVERNMENT STATIONERY CONTRACT

Mr MARSHALL (Norwood—Leader of the Opposition) (14:10): My question is to the Premier. Why has Labor bypassed our state's 380 newsagents and their staff—

The SPEAKER: A point of order from me: wouldn't it be better to address it to the government? The Premier is here not as a representative of a registered political party: he is here as a member of the government.

Mr MARSHALL: I'll rephrase my question, Mr Speaker. My question is to the Premier. Why has the government bypassed our state's 380 newsagents and their staff for the whole-of-government stationery purchase contracts which have been awarded to multinational companies?

Members interjecting:

The SPEAKER: The Minister for Finance. Before he begins, I call the member for Morialta to order, and I call the member for MacKillop to order. Minister for Finance.

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) (14:11): Thank you Mr Speaker. On 29 November, I made a ministerial statement to the house which detailed the process by which the tender process was run for the across government stationery contract. I have not received one comment from the opposition challenging the administration of this process nor the probity by which the final decision was arrived at.

I believe there is general agreement that the assessment made by the probity auditor, PSI Australia Pacific Pty Ltd, of the tender documentation, approval documents, the evaluation process, management of tender documents and final purchase recommendation, is unchallengeable. Similarly, I have not received any criticism from the opposition of the use of government of the tender process as the chief mechanism by which government can achieve best value for money in the procurement of goods and services. I take it as a given that the opposition stands firmly behind the tender process—

Members interjecting:

The Hon. M.F. O'BRIEN: Oh, you don't? So, that's where we go if you get government—you will abandon the tender process.

The Hon. I.F. EVANS: Point of order, Mr Speaker: yesterday you ruled that the government wasn't responsible for the opposition's position. I just draw your attention to the minister's answer.

The SPEAKER: Yes, I will listen carefully to what the minister has to say. Minister, would you be seated, but in that pause, provided by the very pertinent point of order from the member for Davenport, I would like to call the members for Kavel, Heysen and the leader to order, warn the member for Morialta for the first time and the member for Chaffey for the first time. Thank you, minister.

The Hon. M.F. O'BRIEN: I think it is a given that the tender process constitutes best business practice. On the matter of awarding contracts to interstate companies, other than a comment made by the then opposition leader, the member for Heysen, that the state government should positively discriminate in favour of local firms, the opposition has also been mute. This is probably due to the fact that it was pointed out to the opposition—

Members interjecting:

The SPEAKER: Minister, you are responsible to the house for the tender but not for the attitude of the opposition to the tender, so could you segue back to the substance of the question?

The Hon. M.F. O'BRIEN: Yes, I'll segue back. So, in the awarding of the contract to two Victorian companies, we were bound by the Howard era Australia New Zealand Government Procurement Agreement, which obliges all governments in Australia and New Zealand to treat Australia and New Zealand as if they constitute one market and prevents government from discriminating in favour of one state over another. In a practical sense, if we were to adopt the proposition that we would not deal with Victorian-based companies we could, in the absence of this particular agreement, find that the Victorian government took a similar approach and denied South Australian-based companies the opportunity to bid for government business in a larger business environment.

In terms of the process, Business SA made the comment that there could be greater assistance given to South Australian companies in preparing their tender documents. On this point, I have had discussions with Business SA and the government made the decision to appoint an industry participation advocate.

All forms of assistance to South Australian businesses that are engineered by the industry participation advocate will have to comply with the Australia New Zealand Government Procurement Agreement. They will also have to comply with the Australia-United States Free Trade Agreement, which specifically allows Australian companies to tender for US government business and vice versa, and any other trade agreements that may be relevant to the South Australian government tender process.

The SPEAKER: There is a point of order from the member for Davenport. If the point of order is time—

The Hon. I.F. EVANS: The clock does show 55 minutes—

The SPEAKER: Yes, I know what the clock shows, but the timekeeper here, in the absence of my Red Army stopwatch, is the Clerk, and the Clerk judges time on. There were points of order and general rowdiness and the clock shows that the minister has 40 seconds. The minister.

The Hon. M.F. O'BRIEN: Finally—

Members interjecting:

The Hon. M.F. O'BRIEN: Yes, you don't like the answer, do you? Finally, in relation to this particular contract, it is legally binding and enforceable by the courts, and any moves to dishonour this particular contract would bring great uncertainty to not only the South Australian business community but the business community around Australia as to the integrity of the tender process in this state and our commercial reputation.

The Hon. I.F. EVANS: Supplementary, Mr Speaker.

The SPEAKER: Before I consider your supplementary, I warn the member for Heysen for the first time.

VISITORS

The SPEAKER: I welcome to parliament students from Our Lady of the Sacred Heart College Enfield, who are guests of the member for Enfield; I acknowledge students from the Thebarton Senior College, who are guests of the member for West Torrens and I welcome the Norwood Probus Club, who are guests of the member for Norwood.

QUESTION TIME

GOVERNMENT STATIONERY CONTRACT

The Hon. I.F. EVANS (Davenport) (14:18): My supplementary question to the minister is: following the minister's answer about how the tender has not breached tender rules regarding other states, Australia and New Zealand, can the minister explain how the stationery had been supplied by the newsagents for 40 years without breaching those rules?

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) (14:18): That is very easy to explain, because there was not an agreement in place. It was an informal agreement that had never gone to tender, and it was about time that—

Members interjecting:

The Hon. M.F. O'BRIEN: There was no agreement to contravene, because a tender process had not been run on that business.

ADELAIDE CONVENTION CENTRE

Dr CLOSE (Port Adelaide) (14:19): My question is to the Premier. Can the Premier update us on the Convention Centre?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:19): I thank the honourable member for her question. Today I had great pleasure, along with the Minister for Transport, to see up close the \$350 million redevelopment of the Adelaide Convention Centre. That is a project that is not only providing local jobs driving innovation but also developing new skills for the workers who are doing that fantastic work. Ultimately, it will provide the state with one of the largest, most flexible and up-to-date convention centres in the nation.

In particular, this morning I was briefed on an amazing feat of innovation: a collaboration of local architects, engineers and steel fabricators who had to devise a steel structure with enough strength and length to support 4,300 square metres of new convention floor space above the rail yard. You can picture a workplace of this nature. It is clear that what is required is an enormous amount of skilled thinking. The result is 1,700 tonnes of structural steel framing that will support the new wing of the Convention Centre, just metres above Adelaide's busiest railway station.

What this will physically provide the city is a seamless transition between Morphett Street, a world-class new exhibition centre and meeting space, and our revitalised existing Convention Centre. The redevelopment will make our state increasingly competitive in attracting conventions and large scale events. We have heard that we are already having to knock away work because we do not have sufficient space.

It will have enormous benefits in boosting our convention industry, which already brings in thousands of people to South Australia. These are people who spend money in hotels, restaurants and shops. Importantly, it provides jobs, now and for the future. Today, I saw 95 per cent local contracting by value on the site. This segment of work alone involves about 100 people off-site and 130 on-site workers.

I also had the pleasure of meeting a worker called Rambo—which was slightly unnerving because we were 10 metres off the ground—but he told me that he had worked continuously in the construction industry for 30 years and that this pipeline of projects that is happening in the city at the moment is allowing construction companies to employ the new wave of Rambos in the future. He had obviously developed a lot of skills over the years, and so a lot of these construction companies were able to take on new workers that were able to skill up on these difficult projects so that we have the capability to win projects of this sort in the future.

This point was also made by Woods Bagot, the architectural firm that has done the design work on the project. They told me they had been able to upskill their Adelaide-based workers and make sure they had expertise, so that now they are actually winning contracts nationally and internationally for convention centres and laboratory-based spaces like the SAHMRI because of the work they have been doing through this pipeline of projects. What is happening here is that this collaboration we are seeing between government and business is making sure that we have the skills and capabilities to create new opportunities for the new projects that will come through the pipeline.

GOVERNMENT STATIONERY CONTRACT

Mr MARSHALL (Norwood—Leader of the Opposition) (14:22): My question is to the Minister for Finance. Following the minister's comments four months ago that we would, and I quote, 'move Heaven and Earth' to resolve the unintended issues surrounding the impact of the whole of government stationery purchasing contracts on the state's 380 newsagents, can he name one issue which he has actually resolved?

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) (14:23): I think, opposition leader, the one issue that I have resolved is sanctity of contract.

INFRASTRUCTURE PROJECTS

Mrs VLAHOS (Taylor) (14:23): My question is to the Minister for Transport and Infrastructure. Can the minister please advise the house on how local infrastructure projects are supporting South Australian industries?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (14:23): I thank the member for her question. This Labor government is pro-development and pro-jobs. We understand the importance—

The Hon. I.F. EVANS: Point of order. Earlier in question time, you ruled the opposition couldn't address the government as 'Labor', and the minister is now doing exactly the same thing.

The SPEAKER: The answer to that, member for Davenport, is that it may be included as an adjective before government or opposition. We can be 'the Labor government' or 'the Liberal opposition'. What you cannot do is refer to the government solely by the name of a registered political party. Minister for Transport.

The Hon. A. KOUTSANTONIS: Thank you, sir. This Labor government is pro-development and pro-jobs. We understand the importance of such projects in not only delivering world class facilities, but also creating jobs in our economy. That's why we have invested \$9.3 billion on infrastructure spending. This is not only building important socioeconomic infrastructure but also supporting local manufacturing and engineering firms.

In the past week we have witnessed these benefits firsthand. Just this morning the Premier and I, as I said earlier in question time, were at the Convention Centre expansion, where the most

challenging stage of the project was just being completed. It involved placing 1,700 tonnes of structural steel framing metres above Adelaide's busiest railway station. The aspect of this is that South Australian firms are solving these problems and providing world-class solutions. In fact, I am advised that local firms are doing 95 per cent of contracts with the Adelaide Convention Centre by value, and this is a similar situation across our other infrastructure programs.

I am advised that 47 of the 51 subcontracts let to date for the Adelaide Oval project are going to local South Australian firms. Just last week in my electorate I visited another South Australian firm, Manuele Engineering. With the Minister for Manufacturing, Tom Kenyon, I toured the factory, which happens to be in the electorate of West Torrens. We were able to see firsthand the prefabrication work that is going on to construct Adelaide Oval's new southern stand. Fantastic work is being done by local South Australian workers and a local South Australian firm.

Thanks to this Labor government, the infrastructure spend that I saw happening at Manuele's is actually being replicated across the state. It is vital work not only because it provides cash flow, certainty and employment for thousands of workers across the state, but it also enables skills and expertise that can be used to win contracts around the nation and, potentially, overseas. If members opposite don't believe me, maybe they should listen to the businesses themselves. Vince Manuele, Managing Director of Manuele Engineers Pty Ltd, said this to the press gathered at his firm:

There is no doubt that securing this work has been crucial to our company's future and will hold us in good stead to continue growing and competing on the national stage.

The Leader of the Opposition believes this isn't real and it's only a false economy. It is fine when the Leader of the Opposition's firm, Marshall Furniture, wins contracts at the Adelaide Convention Centre—that's okay. When other companies do it, they call it a false economy. So, if you benefit, it's okay; when anyone else benefits, it's a false economy.

Members interjecting:

The SPEAKER: Is there a point of order?

Mr HAMILTON-SMITH: Debate, Mr Speaker. The minister is straying well into debate.

The SPEAKER: Yes, I uphold the point of order. I trust the minister has finished. The Leader of the Opposition.

GOVERNMENT STATIONERY CONTRACT

Mr MARSHALL (Norwood—Leader of the Opposition) (14:27): My question is to the Minister for Finance. Can the minister confirm that the whole-of-government stationery contracts with OfficeMax and Corporate Express are not exclusive contracts and have no minimum purchase requirements?

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) (14:27): They are exclusive contracts to the extent that they apply to all government agencies, bar those that cabinet has decided would be exempt. At the moment, that exemption applies to country schools and to the Country Fire Service.

The SPEAKER: Before we go to the next question, I remind the Minister for Transport that he identified the Minister for Manufacturing quite sufficiently by his title without adding his Christian name and surname. I would ask him to refrain from it in future. The leader.

GOVERNMENT STATIONERY CONTRACT

Mr MARSHALL (Norwood—Leader of the Opposition) (14:28): Supplementary, Mr Speaker: can the Minister for Finance explain why in the contract it states, 'The agreement is entered into on a non-exclusive basis. There is no obligation to purchase a minimum quantity of goods from the contractor'?

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) (14:28): For the very reason that I gave in the last answer—that there have been exclusions and those exclusions are—

Mr Marshall interjecting:

The SPEAKER: Yes, we got that.

The Hon. M.F. O'BRIEN: It is not an exclusive contract, to the extent that cabinet originally signed off certain exceptions. It was felt that in tendering for the contract the potential contractors should be made aware of the scope of the contract, and I think that is fair and reasonable. They should have an understanding of the quantum, and we were very, very specific in pointing that out.

Mr Venning interjecting:

Mr MARSHALL: Supplementary question.

The SPEAKER: Before we go to the supplementary, Leader of the Opposition, I call the member for Schubert to order. Leader, supplementary.

GOVERNMENT STATIONERY CONTRACT

Mr MARSHALL (Norwood—Leader of the Opposition) (14:29): My supplementary question is to the Minister for Finance. Is it therefore a government policy decision that dictates that departments must purchase stationery from OfficeMax and Corporate Express and not the contracts themselves?

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) (14:29): We undertook a tender process. There were eight companies that tendered. The procurement board made a decision in advance that there would be two selected, that that would constitute the panel and that the contract would apply to all government agencies bar—

An honourable member interjecting:

The Hon. M.F. O'BRIEN: It was a contract. They are legally—

An honourable member interjecting:

The Hon. M.F. O'BRIEN: I don't know what you understand or don't understand.

An honourable member: Tell me all about it.

The Hon. M.F. O'BRIEN: At great length, if you would like a briefing.

Mr Pisoni: Get a briefing.

The Hon. M.F. O'BRIEN: Get a briefing because—

Mr Pisoni interjecting:

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

MINING AND ADVANCED MANUFACTURING LINKS

Mr SIBBONS (Mitchell) (14:30): My question is to the Minister for Manufacturing, Innovation and Trade. Can the minister inform the house about state government initiatives that may improve economic links between mining and advanced manufacturers in South Australia?

The Hon. T.R. KENYON (Newland—Minister for Manufacturing, Innovation and Trade, Minister for Small Business) (14:31): I thank the member for Mitchell for his question. It is very timely, because maximising the benefits of the mining boom for all South Australians and growing advanced manufacturing are two of the state government's key strategic priorities.

The importance of both mining and advanced manufacturing to ongoing economic growth in South Australia cannot be underestimated. They are two industries that will help drive our state's current and future economic prosperity. This state government recognises that the successes of our miners and advanced manufacturers are not mutually exclusive. This was acknowledged last year when the Mining Industry Participation Office was announced by the state government as part of the government's manufacturing work strategy.

The aims of the Mining Industry Participation Office are to provide a greater level of engagement between the government, resources companies and the broader supply and services industry; to identify the future demand for the resources sector in South Australia; to identify the gaps in the state's capacity and capabilities to meet the expected increase in demand from the resources sector; and to take the necessary steps to increase the capability and capacity of the South Australian supply and services sector to gain a greater share of the expected demand.

Importantly, an advisory council has been formed whose membership includes senior industry representatives from the resources, supply and industry associations and government sectors. Industry members of the Mining Industry Participation Office Advisory Council include Mr John Howarth, the Manager of Contracts and Procurement at BHP; Mr Brian Kilgariff, the Operations Manager at Oz Minerals; Mr Alexander Kachellek, the Managing Director of Korvest and the SA Director of Austmine; Mr Reg Nelson, the Managing Director of Beach Energy; Mr Craig Stallan, the General Manager of Technical Services from the Eastern Australia Business Unit at Santos; Dr David Cruickshanks-Boyd, Regional Director in SA for Parsons Brinkerhoff; Mr Jason Kuchel, the Chief Executive of the South Australian Chamber of Mines and Energy; Dr Mary Hardy McGowen, Chemicals and Environmental Compliance Advisor at Haliburton; Mr Douglas Dally, the Manager of Thiess Pty Ltd for Victoria, South Australia, Tasmania and New Zealand; and Mr Stedman Ellis, the Chief Operating Officer of Australian Petroleum Product and Exploration Association.

This advisory council is pivotal in steering the strategic direction of the Mining Industry Participation Office and providing a framework for identifying and meeting the future demand from the resources sector in South Australia from suppliers, including from our advanced manufacturers. I am pleased to advise this place that the advisory council is meeting for the first time this afternoon and I will be pleased to meet them very shortly after Question Time. I look forward to hearing about the work of this advisory council to provide strategic direction to the Mining Industry Participation Office.

Mining continues to grow in South Australia providing investment, exports and jobs, and with this ongoing growth it is important that the advanced manufacturers in this state are providing innovative solutions required by the mining industry. The state government understands that improved relationships between both industries will help maximise the benefits of the mining boom for all South Australians as well as growing advanced manufacturing.

GOVERNMENT STATIONERY CONTRACT

Mr MARSHALL (Norwood—Leader of the Opposition) (14:34): My question is to the Minister for Education and Child Development. As the contracts with OfficeMax and Corporate Express are not exclusive contracts, why were schools instructed to purchase stationery from these companies exclusively?

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) (14:34): They are exclusive contracts.

Mr Marshall: But they're not. You just said that.

The Hon. M.F. O'BRIEN: They are exclusive contracts—

The SPEAKER: I warn the leader for the first time.

The Hon. M.F. O'BRIEN: —to the extent of the clearly specified exclusion, which is country schools.

Mr Marshall interjecting:

The Hon. M.F. O'BRIEN: Well, if it's all a little too complicated for you, I can get you a briefing.

Mr Marshall interjecting:

The Hon. M.F. O'BRIEN: No, you're struggling. The arrangement with the schools is that country schools are exempt, because one of the stipulations of the tender was 24-hour delivery and none of the tenderers could meet that particular requirement.

The other exemption is art supplies, because it was felt that they were such a specific school-based product range that it was unreasonable to expect companies that were tendering, I think, on a basket of 1,500 commonly used stationery items across government to have the product range to deal with art goods. They are the only exceptions that were specified in the tender document, and eight companies tendered against those very specific specifications.

GOVERNMENT STATIONERY CONTRACT

Mr PISONI (Unley) (14:36): I have a supplementary, sir.

The SPEAKER: If, indeed, it is a supplementary.

Mr PISONI: As schools were instructed to purchase stationery from OfficeMax and Corporate Express exclusively, how does this fit with the government's claim that they are giving schools more autonomy?

The SPEAKER: That is not a supplementary. The member for Ramsay.

Mr PISONI: No answer?

The SPEAKER: I have called the member for Ramsay. It was not a supplementary question. It may be asked as a separate question, and maybe the opposition would like the member for Unley to have the next question instead of the nominated person. That is a matter for the opposition. Member for Ramsay.

ADELAIDE FESTIVAL EVENTS

Ms BETTISON (Ramsay) (14:37): Thank you, Mr Speaker. My question is to the Premier. Can the Minister for the Arts inform the house about the outcomes of the events of Mad March?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:37): The sense of excitement in Adelaide over the last month is undeniable, and much of it, I must say, was in anticipation of today's date, the birthday of the Deputy Premier of the State of South Australia. Happy birthday!

The Hon. J.J. Snelling: How many years?

The Hon. J.W. WEATHERILL: Thirty-four stellar years. Of course, 2013 marked a very important year in the arts and cultural calendar, with the Adelaide Fringe being extended by a week and the Adelaide Festival staging its first annual event. We now have the figures in, and it has been an extraordinary success. The 2013 Adelaide Fringe has broken all previous box office records, selling 407,153 tickets, a 10.9 per cent increase on 2012, equating to a total box office income of \$11.6 million. These extraordinary ticket sales have really confirmed the Fringe status as the most popular and diverse arts festival in Australia.

Artistic Director David Sefton's first Adelaide Festival easily surpassed its box office income target, with 76 sell-out performances, contributing to a total income in excess of \$2.6 million across 44 ticketed events. The festival is projected to generate a total economic benefit of around \$25 million, with 28 per cent of all ticketed attendances being by people from overseas or interstate (up from 24 per cent the year before). WOMADelaide saw 88,000 people come through the gates, easily making its box office targets, notwithstanding some very hot days over that weekend.

The other great event was, of course, the Adelaide Clipsal 500, now safely in the hands of the Minister for Tourism. He will create a bigger and better event for 2014, but it was a great event in 2013. Clipsal returned to near-record levels, with more than 286,500 attending the four-day event, and Sunday selling out for the first time in history, with 95,000 people attending, the biggest-ever single-day crowd in the history of Clipsal. It is expected that this year's Clipsal will generate more than \$30 million in economic benefit for the state.

A review of South Australian major events held in March, which was released in July of last year, concluded that there are significant benefits in bringing these things together in what is said to be 'Mad March'. The connections between the events are actually bigger than the sum of the parts, and that is what all of the festivals are saying. The fact that these things are going on at the same time is leveraging up the other events. There is something for everyone. Just because you are a Clipsal fan does not preclude you from going to the high arts. In fact, I have seen many people at both events.

An honourable member interjecting:

The Hon. J.W. WEATHERILL: You can indeed. So, many are enjoying the fact that all these things are on at once. Events of the past few weeks have proven the concentration of events and sense of excitement that builds here. The international visitors it brings, the international attention it provides for South Australia is a wonderful thing for our state as we project an image of vibrancy and excitement to the world.

GOVERNMENT STATIONERY CONTRACT

The Hon. I.F. EVANS (Davenport) (14:41): My question is to the Minister for Finance. Does the minister expect job losses in the South Australian newsagency sector following the Labor

government's decision to instruct the government departments to purchase stationery exclusively from OfficeMax and Corporate Express? If so, how many job losses does the minister expect?

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) (14:41): If we exclude the wholesale business, which is ANCOL and its associated company, the advice that I have received is that there will be no job losses within newsagencies—

Members interjecting:

The Hon. M.F. O'BRIEN: —for the simple fact that newsagencies have the option to either opt in or remain out of the co-op. They buy shares. I think there is a minimum requirement of 100 shares and for that it has been indicated to me that—and I am not exactly sure of the amount that has to be purchased and I will come back and correct the figure if it is incorrect—for a purchase of about \$60,000 a year from ANCOL they will get a dividend of about \$1,000, which is small beer in the overall scheme of things. There are other wholesalers. A large number of them, as we discovered through the tender process, eight that we know of, can supply stationery to the newsagents—no impact whatsoever on employment within newsagencies.

Members interjecting:

The SPEAKER: I warn the leader for the second time and I warn the member for Heysen for the second time. The member for Davenport.

GOVERNMENT STATIONERY CONTRACT

The Hon. I.F. EVANS (Davenport) (14:43): My question is again to the Minister for Finance. Was the minister aware, before signing the contract for the whole-of-government stationery procurement, that Corporate Express was involved in the underpayment of \$80 million of wages in the United States? If so, what provisions have been made to ensure that this practice will not be visited upon South Australian employees?

Members interjecting:

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) (14:43): Member for Davenport, could you reread the first sentence? I didn't quite catch it. There was a bit of noise here.

The Hon. I.F. EVANS: Was the minister aware, before signing the contract for the whole of government stationery procurement contract, that Corporate Express was involved in the underpayment of \$80 million of wages in the United States? If so, what provisions have been made to ensure that this practice will not be visited upon South Australian employees?

The Hon. M.F. O'BRIEN: No, I was not.

The Hon. P.F. Conlon: We have good laws.

The Hon. M.F. O'BRIEN: Yes, we have far more robust laws in relation to matters such as this in Australia as opposed to the United States.

Mr Pisoni interjecting:

The SPEAKER: Minister for Finance, will you be seated. The member for Unley is continually interjecting. I warn him for the first time and ask him to desist. The Minister for Finance.

The Hon. M.F. O'BRIEN: This brings us to probably the salient point in relation to this issue which is that the tender process is not a political process. I have no say in the awarding of contracts, nor should I, and I think that is the view of the opposition as well, that we have to run this process at arm's length. It has to be conducted ethically and robustly, and it has to be signed off ultimately by an external company that specialises in probity matters. All of those steps and ethical standards were followed in relation to this matter. I am perfectly satisfied that there was no political tampering with the process whatsoever, and I have been resolute to ensure that it does not occur after the fact.

CAR PARKING LEVY

The Hon. I.F. EVANS (Davenport) (14:45): My question is to the Treasurer. Following the announcement yesterday by the New Zealand government that it was scrapping its car park tax in both Wellington and Auckland because of high compliance costs, has the government established

the estimated compliance cost of the Labor government's proposed new CBD car park tax? If so, what is it?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:45): I thank the honourable member for his question. The truth about the car parking levy, which supports the infrastructure that we are going to plough back into improving public transport in South Australia, is that it is necessary to run a modern, cosmopolitan city. I know that those in the opposition likes to think of Adelaide as a small country town, where you can actually pull up outside Harris Scarfe and do your shopping, but those days are over. We will have a completely congested and unworkable city unless we have a serious public transport system.

The Hon. I.F. EVANS: Point of order, Mr Speaker: the question was about compliance costs. Can the Premier come back to the substance of the question, please?

The SPEAKER: I will listen to what the Treasurer has to say very carefully.

The Hon. J.W. WEATHERILL: Thank you, Mr Speaker. Any evaluation of the costs of the scheme needs to look at the costs of the benefits forgone associated with introducing this particular regime, and it is to ensure that we have a city that functions. We believe that this city is going to grow—it is our ambition to double the size of the population in the city—but that does not mean that every single person that comes into this city has to arrive by motor car. We have more car parks, in absolute terms, than New South Wales and Victoria and Perth. It is bizarre.

Mr PENGILLY: Point of order: standing order 98.

The SPEAKER: Relevance? Debate? No, I think the Premier is still supplying us with information.

The Hon. J.W. WEATHERILL: The information is that we have an extraordinarily large number of car parks in the city, which supports lots of car movements into the city. We want to encourage more people to get on transport, and the way to do that is to upgrade public transport. To upgrade that, we need to raise revenue because, if we did not raise revenue to do that, we would have howls of complaint from those opposite that we are increasing debt or doing some other grievous harm to the state's budget position.

This is just the orderly management of a modern, cosmopolitan city. It is what Perth has done, it is what Sydney has done, it is what Melbourne has done, and it is what Brisbane has done. Indeed, in each of those capitals they have levies which far exceed that. At the moment we are working out the precise shape of the levy and how that will be imposed. We want to reduce the burden and incidence on everybody who is involved in the transaction, so we will be trying to minimise those compliance costs in the way in which we design the scheme. The scheme has not yet been designed, so it's unknowable.

Members interjecting:

The Hon. J.W. WEATHERILL: Well, it's being introduced—

Members interjecting:

The SPEAKER: The member for Adelaide has been particularly rowdy today and I warn her for the first time. I also call the member for Davenport to order, and I warn the deputy leader for the second time. All bases are now loaded; there will be no further warnings for the deputy leader. The Premier.

The Hon. J.W. WEATHERILL: Thank you, sir. Can I say that the salient points of the scheme are well known; what we are designing is the precise application and its operation. That is what we are consulting on and that is why, four months after announcing it, when I think it was received as a sensible policy reform, we are now seeing a campaign being run against it; people are within their rights to do that. But I think, rather than the opposition toeing in on yet another protest group, maybe they could come up with a single idea of their own.

PARKS COMMUNITY CENTRE

The Hon. P. CAICA (Colton) (14:50): My question is to the Minister for Planning but, before posing that question, can I pass on my best wishes for his birthday, and to my friend for his birthday yesterday. Will the minister please inform the house of the progress made on the upgrade of the Parks centre?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (14:50): I thank my learned friend the member for Colton for that question. This week I had the pleasure of attending with the Premier as he turned the first sod on the works to deliver a new centre for the Parks community. A \$28.7 million upgrade of the community centre is under way. The planned upgrade was the result of extensive consultation involving more than 650 people. It led to a report from the Social Inclusion Commissioner, Monsignor David Cappel, in April 2011.

The community input was absolutely essential to this process. Centres like the Parks play a very important role in healthy, safe neighbourhoods, and they certainly play a very important role in the lives of local families. I know, as the member for Enfield, that the Parks Community Centre is held in very high regard by the people who live there. Mr Speaker, I believe that in the not-too-distant future even your constituents will be very close to the Parks Community Centre.

The centre originally opened in 1979, and the original high school site dated back to the 1960s. Redevelopment means that for the first time the community will have a purpose-built centre. The new centre will include two swimming pools, new soccer pitches, upgraded facilities, refurbished theatres and new health, retail and housing opportunities. It has been staged to ensure that the new pools will be open by next summer.

The community has changed significantly in the Parks area over recent years, and the upgrades will support and complement these changes in the demographic and the community in the Parks area. This will be a centre that the community can be proud of and interact with into the future rather than a reflection of the past. Groups affected by the works have been provided with information about suitable alternative options and assistance with relocation.

The Premier and I had the pleasure of meeting Ron from Toymendous on Monday. This group does great work, and he told us that they have been very pleased with the way that the Parks team has worked with them and they are now happily ensconced in St Paul's where they are working away. He informed us that they had donated some 1,000-odd toys to worthy causes recently, so it is great work that they do.

The works will be carried out over several months, and the new centre will be opened progressively as the work is completed. Mr Speaker, so that you can familiarise yourself even more with this great project, further information is available on 1300 002 033 or by visiting www.infrastructure.sa.gov.au.

PUBLIC WORKS COMMITTEE WITNESSES

The SPEAKER (14:52): In response to the member for Waite's earlier point of order, I have this advice from the secretariat of the Public Works Committee. It states:

Rod Hook was neither 'summonsed' nor indeed 'summoned' to appear before the PWC. As is regular practice, DPTI, as the agency appearing before the Committee, upon notifying the Committee they would be bringing a project as per the Parliamentary Committees Act provided a list of witnesses who would appear at the hearing.

The Committee's User Guide to Agencies outlines the process that applied here:

'The committee has power to summon witnesses, compel them to attend and to produce relevant documents. This power is rarely used. Usually the Committee invites persons or organisations to provide relevant documents and make written or oral submissions.'

Prior to the meeting Mr Hook's office notified me, as Committee Executive Officer, that Mr Hook would not be able to appear as he had another meeting he was obliged to attend; in his absence another of the listed witnesses, an Executive Director directly involved in the proposed project, would be leading the presentation.

It was also suggested Mr Hook may arrive late if his other obligation ended early enough. (In the end, this did not happen).

Another witness attended who was at Project Director level.

Both witnesses were competent to provide information on the project.

Consulting the Minutes and Hansard, Mr Hook's absence was described as 'disappointing' and it was asserted that the presence of Department CEOs was desirable at PWC meetings, but it was not specifically raised as a possible contempt of the Committee.

I would add to that, as a matter of procedure, a report from the committee would be required to initiate action for contempt, and we do not have such a report.

QUESTION TIME**MENTAL HEALTH FACILITIES**

Dr McFETRIDGE (Morphett) (14:55): My question is to the Minister for Mental Health and Substance Abuse. Will the minister confirm that the number of public hospital psychiatric beds has reduced from 476 to 220 under this Labor 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) (14:55): No, I won't. There has been a significant, and will be a significant, increase of about 100 beds by next year—total mental health beds in our system—and we will have invested \$300 million by next year in additional mental health capacity. Recently, a national report identified that we had more mental health staff than anywhere else in the nation. We certainly have put significant resources, and have substantially increased the investment this government makes in mental health because it is such an important issue. So, no, I will not confirm—the member for Morphett is completely incorrect.

MENTAL HEALTH FACILITIES

Dr McFETRIDGE (Morphett) (14:56): I have a supplementary, Mr Speaker: given the minister's answer, can the minister assure the house that those beds are not day chairs?

The SPEAKER: I will take that as a supplementary. Minister for Health.

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) (14:56): The advice that I have from the department is a significant increase in sub-acute and acute beds, total mental health capacity, across the system and, as I say, it will have increased by 100 additional mental health beds, both acute and sub-acute, across the mental health system.

Mr Hamilton-Smith interjecting:

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

MENTAL HEALTH FACILITIES

Dr McFETRIDGE (Morphett) (14:56): My question is again to the Minister for Mental Health and Substance Abuse. Is the shortage of acute mental health beds causing some mental health patients to be shackled in emergency departments rather than being admitted for appropriate acute care?

The Hon. P.F. CONLON: Point of order, Mr Speaker, and I noticed you were distracted. I believe the question engages in argument—before it asks the question—'is the shortage of acute beds'. It posits an argument that there is a shortage without a factual base.

The SPEAKER: Could the member for Morphett rephrase the question? In the meantime, I will call the member for Frome.

REGIONAL TOURISM

Mr BROCK (Frome) (14:57): My question is to the Minister for Tourism. Can the Minister for Tourism please advise of his recent regional visit, and with reference in particular to the electorate of Frome?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (14:57): I would like to firstly congratulate the Deputy Premier on his birthday, and my grandmother who is 101 today. She has less white hair than the Deputy Premier. The member for Frome was one of the first people to write to me when I became Minister for Tourism with an invitation to attend the electorate of Frome, obviously a very important area in terms of regional tourism for South Australia, with both Clare and Port Pirie and part of the Lower Flinders Ranges as well. So, it was my great pleasure to head up to Port Pirie last week and also to meet up with the member for Stuart in Port Augusta, the member for Giles in Whyalla, and the member for Flinders in Port Lincoln.

We met with local tourism operators and sporting organisations, firstly for me to introduce myself and to say g'day, and to let them know that when it comes to tourism it is the regions that are the engine house of tourism in South Australia. When we are attracting people here from interstate and overseas, we want to get them out of Adelaide and into the wonderful regions. I will

be up in the Riverland in May and have other trips planned as well. Thank you, indeed, to the member for Frome for not only attending the tourism function, but also the following day we went out to the BHAS bowls.

I really want to thank Doug Ahola, the President of the BHAS Bowls Club who was this year named the local sporting administrator for all the fantastic volunteer work that he does for the bowls club. In every community that we represent in this parliament, we have heroes like Doug Ahola and I pay tribute to him. The government chipped in \$75,000 to the new artificial green there, and they gave me the honour of coming up and joining with the member for Frome not only to open the new green but also to send a couple of bowls down. My first one ended up in the gutter, and the second one was—

The Hon. P.F. Conlon: Was that like the greens at Quorn?

The Hon. L.W.K. BIGNELL: Yes, I told the story about the greens at Quorn, those artificial ones; I told that at the opening. Thank you very much, member for Elder. It was great to send down a few bowls and also just to be there and talk to the members. I got up at about 6.30 the next morning and went for a swim off the Solomontown jetty. This is a tourist attraction in itself, but it is not in any of the brochures.

Members interjecting:

The Hon. L.W.K. BIGNELL: No, I could hear opera singing. There is a guy who gets up every morning and swims around the harbour at Port Pirie singing opera as he goes. So, anyone who is heading up that way, make sure you do yourself a favour and get in. When you get to Port Lincoln, go and do some jetty jumping. Jetty jumping is fantastic off the Port Lincoln pier.

Ms Chapman: It's actually an offence.

The Hon. L.W.K. BIGNELL: No, it's not an offence. The lawyer in you can't help yourself, deputy leader.

Ms Chapman: Ask Patrick. He will tell you.

The Hon. L.W.K. BIGNELL: No, it's not an offence. They actually have a caged-off area around the Port Lincoln town jetty, as the member for Flinders will know, and it is very safe for children and old fellows like myself to go in and have a bit of a swim.

One of the important things about regional tourism is the fact that a lot of the accommodation stock is three-star rated. The industry and government realise that that needs to be improved, so we have a fund where over the past four years we have put in \$8 million to help operators upgrade their accommodation to four and 4½ stars. I know in the member for Mount Gambier's electorate we have The Barn and the Commodore, and we have the Standpipe up in Port Augusta. Lots of tourism operators around South Australia have benefited from this.

Our \$8 million investment has resulted in a \$91 million spend. Anyone who says that government should not be involved in the way free enterprise works in this state should have a look at that example, where for every dollar we are spending there is \$11 spent. Not only are we seeing economic activity, with chippies and plasterers put to work, but we also have a wonderful legacy where visitors to this state who get out to our regions have fantastic accommodation.

The SPEAKER: I am afraid, minister, your time has expired.

MENTAL HEALTH FACILITIES

Dr McFETRIDGE (Morphett) (15:01): I will try again. To the Minister for Mental Health and Substance Abuse: minister, has the situation described in your ministerial statement released today, that 'there have been cases that have recently come to my attention where, in my view, patients have stayed an unacceptably long time in emergency departments awaiting access to acute mental health care', led to patients being shackled in emergency departments rather than being admitted to proper care?

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) (15:02): I don't think it would be fair to say that a shortage of acute beds has resulted in patients being shackled. Patients are being shackled, on the occasions where it does happen, principally for their own safety or for the safety of workers, doctors, nurses and other patients in an emergency department. My concern is about recent cases that have come to the public's attention

and to my attention, where people with acute mental health issues have had to stay in emergency departments for what I consider to be an unacceptably long time.

I should point out 'stay' not 'wait'. They continue to be treated while they are in the emergency department. They are not sitting in a sitting room. They are being monitored by health professionals—doctors, nurses and consultants. They are given appropriate treatment. The issue, and what I am asking this review to consider, is whether we have the right balance of acute and subacute beds. The government since 2007, as I said, have invested \$300 million in increasing our subacute capacity as a result of the recommendations in Monsignor Cappelletti's Stepping Up report. The government has been progressively implementing those recommendations.

Indeed, when the reforms were announced in 2007 South Australia had 513 inpatient and forensic mental health beds. When all the infrastructure is completed in 2014, South Australia will have 615 beds in places across all care types—an increase of 102 beds and places. That is a significant expansion of our mental health capacity in this state. I think it is something that the government can be rightly proud of, that we have made mental health a priority for this government and invested significant amounts of money into it. But we do need to make a decision. I do need to evaluate whether we have that mix right. I wouldn't want anything to be having unintended consequences. Clinicians have raised with me their concerns, and I will have an independent evaluation undertaken so that, if the policy needs to be nuanced, then we will do so.

MENTAL HEALTH FACILITIES

Dr McFETRIDGE (Morphett) (15:05): This is a supplementary to that question. Given the minister's answer, why is it that the frequency of shackling mental health patients is such that the Salaried Medical Officers Association is considering referring the inhumane treatment of mental health patients by this government to the UN Human Rights Commission?

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) (15:05): I have had several meetings with Dr Pope from SASMOA. I have met with clinicians who are members of his. They have raised these issues and raised these concerns with me. It hasn't been brought to my attention that they will be referring anything to the United Nations.

What I do understand and what I will always support are our doctors and nurses in our emergency departments who often have to act in very difficult situations and often have to make very difficult decisions in order to ensure the safety both of the patient being treated and of the other workers in the emergency department. I will always back the doctors and nurses who work in our emergency departments and who often have to make very difficult decisions.

ADELAIDE FESTIVAL LITERATURE AWARDS

Mrs GERAGHTY (Torrens) (15:06): My question is to the Minister Assisting the Minister for the Arts. Can the minister inform the house about the opening of nominations for the Adelaide Festival Awards for Literature?

The Hon. C.C. FOX (Bright—Minister for Transport Services, Minister Assisting the Minister for the Arts) (15:06): I thank the member for Torrens for this question, and I recognise her long commitment to reading.

An honourable member: Weeding?

The Hon. C.C. FOX: Reading—literature, reading.

An honourable member: I thought you said 'weeding'.

The Hon. C.C. FOX: Not weeding, no, although she also likes weeding, I'm sure. I am very pleased to announce that the nominations for the 2014 Adelaide Festival Awards for Literature have now opened. There is a very generous prize pool of \$165,000, and it is one of the richest and most competitive literary prizes in Australia. The awards were introduced in 1986 by the South Australian Labor government, and they have been held every two years since, with the 2014 awards featuring a \$15,000 increase in the prestigious Premier's Award, to \$25,000. That award recognises the best published book amongst all of the awards presented.

This is now one of the most valuable literary prizes in the country, and it is a great opportunity to highlight the best of our writers and reward excellence in the literary community. In terms of what is specifically available for South Australian writers, the Premier's Award is one of

six national awards, along with two awards and three fellowships, giving our local talent in South Australia a real opportunity to shine.

This year, I am also very pleased to announce that there will be a new fellowship for South Australian Aboriginal and Torres Strait Islander writers, which will be \$15,000. It is open to South Australian ATSI writers in the genres of fiction, literary non-fiction, poetry and playwriting. In addition, I am sure that everybody in the house will be pleased to hear that a fellowship for South Australian writers for young people has been renamed in honour of the renowned South Australian author Max Fatchen, who made such a long and significant contribution to children's literature in this state and in this country.

The South Australian awards are the \$10,000 Jill Blewett Playwright's Award and the Wakefield Press Unpublished Manuscript Award, which includes obviously a \$10,000 cash prize and publication of the winning manuscript by Wakefield Press. The three South Australian fellowships designed to provide South Australian writers with a day-to-day living allowance while they pursue their projects are the Barbara Hanrahan Fellowship, open to writers working in the areas of fiction, poetry, drama, scriptwriting, autobiography, essays, major histories, literary criticism or other expository or analytical prose, the Max Fatchen Fellowship, obviously, and the inaugural prize, which I discussed previously.

For all of those who are interested, there is ample time to enter. Your nominations need to be received by Friday 28 June. I would encourage anyone who is interested in these awards to visit the website, www.arts.sa.gov.au, for more information. I should say that those people who have won these prizes in the past have actually been very significant writers, and it is something that we are very, very proud to support in this state.

SCHOOL ENROLMENTS

Mr PISONI (Unley) (15:10): My question is to the Minister for Education and Child Development. Can the minister explain why today's ABS figures confirm that South Australia has seen the largest drop-off in public school enrolments of all mainland states since 2002 while over the same period there has been a growth of nearly 20 per cent in private school enrolments?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:10): I thank the member for Unley for his question. I am really happy to answer this and to also point out that the ABS statistics show that South Australia had the highest retention rate in the nation for Aboriginal students; so that's a big tick for South Australia. Parents are—

Mr Pisoni interjecting:

The SPEAKER: The member for Unley is warned for the second time.

The Hon. J.M. RANKINE: Parents are entitled to make the choice of whether they send their children to public schools or private schools. There was, as I understand it, a small drift to the private sector in the last financial year—in percentage terms. However, I am advised that there were almost 600 more students attending public schools in 2012 than in 2011; so, in fact, we have got more students going to public schools, not less.

Ms Chapman interjecting:

The SPEAKER: The Minister for Education will be seated. The deputy leader is testing my patience. She says that she is going; that would be a very good thing. Minister for Education.

The Hon. J.M. RANKINE: Thank you, sir, she tests my patience every day, but never mind. As I said, there was an additional 600 students in 2012 than in 2011. That is in stark contrast to the haemorrhage of public schools in the years from 2001 to 2002 when 3,000 students left public schools.

GRIEVANCE DEBATE

GOVERNMENT STATIONERY CONTRACT

The Hon. I.F. EVANS (Davenport) (15:12): I just want to make some comments about the disaster that is the whole of government stationery contract put in place by this government. In fairness to the minister, he is a very forthright minister—every fourth thing he does he gets right. The reality is that this is a disaster, this stationery contract. The big end of town are winning and

the small end of town, the little South Australian companies, are getting done over by this government contract. Let's be clear, Mr Speaker—

The Hon. M.F. O'Brien interjecting:

The Hon. I.F. EVANS: You don't have an argument on the floor of the house, minister; you don't have an argument on the floor of the house!

The SPEAKER: Order!

The Hon. M.F. O'Brien interjecting:

The Hon. I.F. EVANS: You don't have an argument on the floor of the house! Mr Speaker, everyone knows that the people who designed the tender were the government. The government designed the tender about what was going to be included and what was not going to be included. The government decided to take out the CFS, the government decided to take out country schools, and it was this government that decided to put in the other school contracts that are hurting our newsagents.

For this minister to come in here today and say he is going to stand behind the sanctity of contract when he went out on radio after the contract was signed and said he was going to move heaven and earth to help the newsagents—well, if he went out after the contract and he knew that the sanctity of contract was already in place, why did he go out and say to the newsagents he was going to move heaven and earth to try and overturn it? That was simply a false statement to try to give the newsagents hope.

Then we have the ridiculous situation that he then shifted the issue to the Small Business Commissioner. Don't have a minister take responsibility, don't have the Premier take responsibility, don't have the minister for small business take responsibility. No, no, no; we will shift it to a bureaucrat who is locked in by the government contract. The Small Business Commissioner can do nothing to solve this issue—not a thing. So then what does the government do? It comes up with another brilliant solution: we are going to have an industry participation advocate, another bureaucrat to argue with cabinet about what should be in and outside future contracts and purchasing agreements.

The reason we are in this position is very simple: we have a Rip Van Winkle cabinet. They are all asleep. Where was the Minister for Education when this issue was before cabinet? Did that minister once put up her hand and say, 'There might actually be an issue with school purchases from our newsagents'? Did the Minister for Small Business put up his hand and say, 'What is happening with our local small business and newsagents'? The answer is no. This is a Rip Van Winkle cabinet—they were all asleep.

For 40 years, the newsagents in South Australia have provided a decent cost-effective service to our school community. For 40 years, not a scandal—decent people mortgaging themselves to provide jobs and a service to our schools. The government has a problem, not the newsagents, with the supply of cartridges, and guess what happens? It is the newsagents who are penalised. The house should be under no illusion. The contract that has been signed is very clear. Clause 1 states that it is not exclusive:

This Agreement establishes a purchasing arrangement for the Goods listed in the Schedule from the Contractor on a non-exclusive basis.

If we go to clause 7, the heading is Non-exclusivity, and it states, 'This Agreement is entered into on a non-exclusive basis.' The contract value on the government website is zero value. In other words, this contract says the people can buy from whoever they wish. There is no obligation to buy through these two multinationals, and what the minister is really saying is that cabinet has decreed that there is going to be this mandated policy that is penalising our newsagents. We think there are going to be job losses and the minister's comment today about job losses is going to come back to haunt him.

Time expired.

MISSION AUSTRALIA

Mr ODENWALDER (Little Para) (15:17): I rise today to speak very briefly—

Members interjecting:

Mr ODENWALDER: —that was pre-emptive. I haven't finished yet—about an organisation that is familiar to everyone in this place, or should be, that is, Mission Australia. We all know the good work that Mission does generally looking after the most vulnerable in our communities and also and especially the work they now do in the employment space.

I am pleased that Mission Australia is now running several new programs from their new Community and Family Services Centre at Elizabeth. The service, as everyone there knows, is up and running already and going very well from all reports, but it will be officially opened by the mayor next week. The new services are largely based around supporting vulnerable and young families, and I just want to outline a few of them to the house.

The Playford Secure Families initiative is part of the Pathways to Strong Families and Healthy, Happy Children program. The Playford Secure Families initiative provides case management support to assist families to manage issues such as income, health, relationships and drug and alcohol issues that might affect the role of parenting in the home. It provides what they call 'free attachment based playgroups', where parents can meet other parents and make friends and share ideas about parenting and where children can get a chance to learn and grow through play with other kids, and it has volunteer family support workers who provide support to families in their homes by visiting and helping parents to establish routines that help children grow and thrive.

The Kids on Peachey program incorporates a staying safe education program into a range of fun activities so the kids can learn about health and safety and wellbeing in a fun and playful environment. This is targeted at children aged five to 12 years who reside in the City of Playford. The Kids on Peachey program (and, of course Peachey refers to the Peachey Belt in Elizabeth but it is not exclusive to people living in that area: it is just based there) looks at the needs of the child as a whole, and includes health and wellbeing information.

The program also provides opportunities for children and their families to participate together. It is located at the John McVeity Centre on Peachey Road, which is a place close to my own heart because it is where my son went to kindergym, and he helped the operators there rewrite the health and safety guidelines on a weekly basis by falling off everything.

Mission Australia's Elizabeth Dad's Shed also forms part of the broader Pathways to Strong Families and Healthy, Happy Children initiative. The Men's Shed aims to actively engage fathers or other significant males (such as grandfathers, uncles and carers) in the lives of their children and to help strengthen that attachment. That is good for both the male adults and also the kids; and I think it is probably something that can have untold lasting positive effects. This program is run in partnership with council, Anglicare and also Bunnings, which hosts Dad's Shed workshops on Thursday evenings during the school term at their Munno Para store.

Mission Australia at Elizabeth also runs a community rehabilitation project as part of its Pathways Away from Homelessness initiative. This project involves intensive non-residential services and activities that include group programs that focus on strategies around substance abuse and relapse prevention. It also focuses on more general life skills, employment and education pathways, and connections to recreation and communities. In some cases, they work on rehabilitation services, which include the development of individualised programs and also access to a range of group programs.

Finally, they also provide more general drug counselling, both one-on-one and in group settings. They work in partnership with the client to identify patterns of use, strategies for change, relapse prevention and to build on the client's existing strengths and the resources that might surround them. I congratulate Kim Holmes and the Mission Australia team that is working in Elizabeth who are doing so much to help the most vulnerable in my community in the north.

SALVATION ARMY COMMUNITY CENTRE, PORT AUGUSTA

Mr VAN HOLST PELLEKAAN (Stuart) (15:22): I rise today to inform the house of an absolutely outstanding community event that I went to on Saturday morning in Port Augusta. It was the official opening of the Salvation Army's new community centre on Carlton Parade. The Salvation Army (along with many other organisations, of course) does a lot of very good and important work in Port Augusta, and it was truly a pleasure to join with them in this celebration. They have struggled with regard to different places around town to sell their goods, to have worship, to provide counselling and other important services, and they now have an absolutely outstanding modern facility all in one place on Carlton Parade.

It was wonderful to be there with Commissioners Aylene and Raymond Finger, Lieutenant-Colonels Ron and Robyn Clinch, Major Gordon Jones, and Lieutenants Claire and David Jones (the last two of whom are new arrivals and very welcome to the Salvation Army staff in Port Augusta). Mr Lindsay Thomas did an outstanding welcome-to-country. He is a very proud Nukunu man who always does a lovely job, in my opinion, with his welcome-to-country because he always finishes by saying, 'This is where we started but, today, we are all here together, and we all have to move on together in Port Augusta to make the best of this place.' I think that is the right spirit.

Deputy Mayor, Phil Gregan; the member for Grey, Rowan Ramsey; and quite a few local church leaders were there to support the event. There were lots of other supporters, including, of course, Salvation Army volunteers. There would have also been, I estimate, well in excess of 100 community members who all came along to enjoy the day, and a wide range of community members—people who I know are relatively well off and people who I know are relatively poorly off, and many people in between. It really was tremendous to have everybody come.

The Salvation Army put on a very good day and the weather was fantastic, which was great. They made it a real family affair and a community event. There was a jumping castle, a sausage sizzle and a bake sale. Their shop did an absolutely roaring trade. They have an impressive facility there, which includes the shop, a beautiful worship room, some administration offices, some counselling rooms, a food store and many other services.

I think every member of the community, who got to look through every single corner of this facility—nothing was closed off and inaccessible to the public on Saturday morning—was, first, very impressed with the facility and, secondly, pleased that the Salvation Army has now one central community centre from which to work. Most importantly, they are very pleased that this service is there for people in Port Augusta.

We have a wide range of people in Port Augusta. The community is made up of people whose families have been there for thousands of years. We have people from European heritage whose families have been there for up to six generations. We have migrants and descendants of migrants from more than 30 different countries. Of course, the vast majority of people who now live in Port Augusta and the district are far more recent arrivals, and everybody calls Port Augusta home.

It is a community that is improving all the time. It has always been a fantastic place but social cohesion in Port Augusta, I believe, is improving enormously. That is supported very well by the Salvation Army and other organisations which support us. I congratulate the Salvation Army for this significant step forward for them, this significant step forward for Port Augusta, and thank them for the work that they do. They are a very professional structured organisation, as their name implies, but they are also a wonderful, caring and flexible organisation when that is appropriate, too.

One of the things that really impresses me about the Salvation Army is that they help people the very best they can and after the immediate needs have been met—whether they be food, shelter, clothing, counselling or whatever it might be—then they go on to try to support people with regard to addressing the causes and the reasons why they have that immediate need. As I said, they are not alone in this area, but it was their day to celebrate. It is a great pleasure for me to recognise their success with regard to the establishment of their new community centre and also to thank them publicly, as I did on the day and as I do now in a very heartfelt way here in parliament, for the work they do for the entire community in Port Augusta.

TELECOMMUNICATIONS INFRASTRUCTURE

The Hon. S.W. KEY (Ashford) (15:27): I am reporting today on campaigns that I have been involved with and sadly have been completely unsuccessful in achieving in relation to Ashford and different communities that I have lived in. I am talking about legislative framework for telecommunications and mobile network infrastructure.

We all love our mobile phones and we all use them, but I guess the issue for me has been the suitable location of those mobile phone towers. When I talk about the legislative framework, it doesn't seem to me as if anything has changed very much since the last campaign I was involved in which was in 2006-07. At the time residents, St Anthony's School staff and parents, the member for Hindmarsh (Steve Georganas), the Environmental Defender's Office and I all unsuccessfully campaigned against the establishment of a telecommunications base station on the land that is near the intersection of Cross Road and South Road.

The federal minister at the time was Senator Helen Coonan and, although she responded to the letters and the deputations that I made to her, basically nothing changed. I was also involved in meeting the Marion Council and, again, they were very sympathetic but in the end the Marion Council supported the development application to erect a 25-metre tower 200 metres off the northern boundary of St Anthony's School at Castle Street, Edwardstown, and very close (within 75 to 200 metres, depending on where you are in Christina Street) to residential properties in Edwardstown.

In late February this year I received correspondence from the Chair of St Anthony's School Board, Ms Susan Stewart, and also Ms Cate Birch, the Principal of the school, urging me to oppose the upgrade of what we locally call the 'Jayco Mobile Phone Tower' on South Road, Edwardstown. The upgrade of the tower is to install six new panel antennas onto a triangular head frame at the centreline heights of 21.7 and 23.5 metres; to relocate three existing panel antennas to a new turret mount above the head frame at the centre height of 25.4 metres; install 'nice' (the proposer's comment) new remote units—and I don't know what that means—below the head frame at 22 metres; and associated ancillary works.

In summary of the letters I have received, and also the meetings I have had on this issue, it is interesting to note that the South Australian Commission for Catholic Schools says, in their siting of mobile phone towers policy:

Every effort to prevent mobile telephone towers from being erected within 300 metres of those parts of a property which are in use by students and/or staff, and make every possible effort to have any mobile phone tower so erected removed.

We also have a number of constituents. Mr Kevin Walsh has campaigned directly against the tower but, like the school, also complained about the tardy consultation. He managed to get a submission in to the appropriate authorities and also, because of the poor way in which the whole thing has been conducted regarding the extension, managed to get the period of consultation and submission extended to 19 March.

Many of us in the electorate are concerned about the health problems, particularly with electromagnetic radiation. Because there is so much contrary information around it is very difficult to get anywhere with this particular campaign or campaigns, but I say that while we do not know one way or the other, we really should apply a precautionary principle. It seems to me that although we want and need these towers, we should not locate them near schools, workplaces or houses, or where the intensity of the electromagnetic radiation emissions falls where people are congregated for a long time.

DAIRY INDUSTRY

Mr VENNING (Schubert) (15:32): I rise today to speak on an issue that I find extremely concerning; that is, the demise of the state's dairy industry. It is pleasing to see the past minister for agriculture here; he will understand.

It was with great sadness that last week we heard figures that highlighted the dramatic decrease in the number of operational dairy farms in the state, particularly in the Mid North and Barossa regions. Only 16 dairies remain in those regions; compare this to 450 30 years ago and you really have to question the viability of this industry. Statewide, dairy farmer numbers stand at 275 and they are declining, because the industry is no longer sustainable.

How are these families surviving? Well, the reality is that they are not surviving. According to the dairy industry, banks are foreclosing on up to one dairy farm per week; that is one a week. No wonder the positive outlook for many farmers is non-existent. As we know, dairy farmers are confronted by many challenges in their industry, including low milk prices, high fodder prices (that is, hay and grain), high water rates, high power prices and decreasing access to further funds from the financial sector to support their businesses. All these factors make survival in the industry extremely challenging, if not impossible.

Dairy farmers are being forced to sell their milk at under the cost of production, and you cannot tell me that that is a sustainable or viable method of farming. A dairy industry representative, who is also a dairy farmer in my electorate, confirmed today that many farmers are currently receiving about 38¢ a litre for their milk while production costs are between 40¢ to 45¢ per litre. That is a loss of 5¢ per litre. When you look at the bigger picture, the average dairy farmer produces 2 million litres of milk annually; if you do the sums, that means that most dairy farmers are losing up to \$100,000 a year.

The South-East dairy farmers are doing it even tougher, because of even higher electricity prices. Some South-East dairy farmers are losing up to 9¢ a litre. Compare this to what we pay for milk at the consumer end. Someone is skimming large profits, but sadly it is not the dairy farmer, who works very hard—and, I remind members—seven days a week twice a day, in all weather.

It is not sustainable, fair or viable to remain as dairy farmers in the current climate. Banks are foreclosing on many family-run dairies; on-farm investment has stopped, which is most concerning; and farmers are simply trying to afford to feed their livestock, their number one asset, and their families, and have little left to reinvest in maintaining their farms, and the asset depreciates. Therefore, they are calling on support from other services; the flow-on effect is huge.

The dairy industry as a whole is now calling out for assistance from government, both state and federal, to nut out a pathway forward for the industry. We need to ask ourselves: do we want the luxury of being able to buy and drink fresh, quality Australian or South Australian milk? At the rate the industry is going, fresh Australian milk will be a thing of the past.

There is no doubt that consumers are confused when it comes to purchasing milk. They want to support local farmers but have no idea how to do so because the market is flooded. Fortunately, in my electorate we have Jersey Fresh milk, which is a family-owned business, so the profits support local producers. The brand itself has gained incredible backing and support from the local community.

People love to know that what they are buying is supporting local farmers. One well-known milk brand (which will remain nameless) is owned by a Japanese company, so all the profits from buying this particular milk go offshore. Perhaps we need to consider declaring on labels not only the origin of the product but also the origin and history of the company.

This is a most concerning issue and one that will not be resolved immediately. I urge everyone to support this vital industry and, hopefully, a long-term solution can be implemented. It is about the enormous marketing power particularly of our two very large supermarkets and how they manipulate the market. Their buying power is huge. We really have to look at this issue very carefully, not only in the milk industry but also everywhere else. If we want to have a South Australian or Australian dairy industry supplying clean, fresh milk, we have to do something about it.

Our dairy milk industry has done our state proud in the past, with a reputation Australia-wide, especially South Australian iced coffee—of which I have drunk more than my share—which is as popular as Coca-Cola in South Australia. The industry now needs us to help it survive. I am happy to talk with the South Australian Dairyfarmers Association, particularly Mr Lyons, its CEO. It is a desperate call, and I think that, even though we might let market forces prevail, if we do not interfere here we will not have an industry.

FESTA DI SAN GIUSEPPE

Mrs VLAHOS (Taylor) (15:37): I would like to speak today about the Festa Di San Giuseppe Salisbury, which is held each year on the weekend around 20 March. This year, it was held on Sunday at the St Joseph's Italian Community Centre in my electorate, as it has been over a number of years. Roughly 5,000 people from the Italian community in the north of Adelaide attend this yearly festival to recognise the patron saint of a local community.

The St Joseph executive committee for the last three or four years has been a very stable group of people who have done remarkable things. In fact, this community centre and hall, which is the hub of Italian life in the north of Adelaide, has been largely funded and built from community endeavours.

I would like to place on the record my thanks to Sam Garreffa, Grace Garreffa, Grace Caruso (a good friend of mine), Rocco Carpentieri, Joe Furina, Tony Desteno, and Tony Polimeni. We also have the fantastic spiritual leadership of Sister Elda leading the local community, assisted by Gino Santoro, Francesco Noto, Grace Morgante, Giovanna Garreffa, Immacolata Marafioti, Angela Caruso, Vince Verrilli, Carmine Noto, Janice Carzo, Dominic Carzo, and Mario Spano. Without these fantastic people, this remarkable tradition in our area would not happen every year.

I sponsor the local group quite regularly with raffle prizes, and this year I was very pleased to be able to donate a very large ham, which looked delicious; I am sure the people who won it on Sunday would be very happy. This community event really creates an opportunity for the local community, together with their grandchildren, to partake of pasta, trippa, pizzas, zeppole and gelati.

There is always a good band, music and fun and games for the children to participate in. It is often sponsored by many local businesses in the area, and I was pleased to sponsor it again this year, with entertainment, food, and support for the local community. So, thank you to the committee of San Guiseppe for running yet another wonderful event and I look forward to attending it next year in conjunction with the mass that is led by Father Antonio Paganoni from St Augustine's Church at Salisbury.

Another event I would like to speak about briefly is a book launch that I attended in my area with the veteran community, particularly the Vietnam veterans in the north of Adelaide, at the John Harvey Gallery at the City of Salisbury with Mayor Gillian Aldridge. It was the launch of Dr Glen Edwards' book *Beyond Dark Clouds* and, while I attended this book launch last year in my own local RSL patch of Two Wells, it was a pleasure to come down to Salisbury, which is within my area, and talk to the veterans in that area, particularly the Vietnam Veterans Association, Northern Sub Branch, Mick Lennon and his friends from Salisbury RSL, and the Two Wells RSL.

Dr Glen Edwards is a truly remarkable man, and he deserves a grievance in his own right. Having gone through military service, he has risen and self-educated himself to a remarkable level and is now an expert in post-traumatic stress disorders and has written two books. The most recent one, *Beyond Dark Clouds* is the follow-up to his first book, which records the stories of Vietnam veterans, their families and children and the impact that this war had on them and continues to have on them.

One of the reasons I raise this today is that it is particularly relevant seeing as I have Edinburgh in my electorate. With the last rotations of people coming back from the Middle East and Afghanistan into my community and me seeing people in blue and khaki regularly coming to our local schools and picking up their children, the message of these veterans is equally relevant today as it was when they came back from Vietnam all those years ago when I was a child.

So, Dr Glen Edwards' book is a remarkable thing. He has gone on to advise the World Health Organisation and assist people who have suffered trauma from the tsunami in Japan and earthquakes in other places around the world and, in due course I will make a speech about Glen and his remarkable efforts. I recommend strongly that people get the chance to read *Beyond Dark Clouds*. It is a remarkable book, and it is a story from a remarkable man.

STANDING ORDERS SUSPENSION

The Hon. A. PICCOLO (Light—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (15:42): I move:

That standing and sessional orders be and remain so far suspended as to enable Private Members' Business, Committees and Subordinate Legislation set down for earlier today to take priority over Government Business for up to one hour forthwith.

The DEPUTY SPEAKER: As there is not an absolute majority of the whole number of members of the house, ring the bells.

An absolute majority of the whole number of members being present.

Motion carried.

NATURAL RESOURCES COMMITTEE: MURRAY-DARLING BASIN WATER RESOURCE MANAGEMENT

The Hon. S.W. KEY (Ashford) (15:44): I move:

That the 76th report of the committee, entitled Water Resource Management in the Murray-Darling Basin Volume Three Postscript—The Return of the Water, be noted.

This postscript report is the fifth report of the Natural Resources Committee on water resources management in the Murray-Darling Basin since the committee first started taking evidence on the topic in November 2007. The Natural Resources Committee recommended in its fourth report tabled in March 2012 that additional hydrological modelling should be undertaken to determine the viability of removing some of the operational constraints that prevent greater quantities of water being made available to the river and South Australia.

The Premier (Hon. Jay Weatherill) established a Premier's task force in November 2011 to coordinate South Australia's response to the draft Murray-Darling Basin Plan. The Natural Resources Committee's role was independent of this task force. The Murray-Darling Basin

Authority undertook additional modelling of the likely benefits to the river system for both higher volumes and higher flow rates during 2012.

Federal Minister Tony Burke released the results of the modelling on 9 October 2012. Four scenarios were modelled: returning 2,800 and 3,200 gigalitres per year to the river with unchanged operational constraints, and returning 2,800 and 3,200 gigalitres together with relaxed operational constraints. The modelling showed that by relaxing constraints in the system better environmental outcomes could be achieved for the Lower Lakes, Coorong and Murray Mouth. There were also some benefits to the Riverland-Chowilla flood plain.

The Premier moved a motion in the house on 1 November 2012 supporting the adoption of the basin plan. He emphasised salt export through the mouth, reduced dredging and maintaining water in the Lower Lakes to avoid acidification and river bank collapse. The Premier's motion was carried on 27 November 2012 after extended debate in the house. On 22 November 2012, the federal water minister (Hon. Tony Burke MP) signed the basin plan into law. The plan provides for the return of 2,750 gigalitres to the basin, with an additional 450 gigalitres to be delivered by 2024, giving a total of 3,200 gigalitres per year.

On 26 October 2012, the Prime Minister had already announced that \$1.77 billion would be spent over 10 years to secure additional water through on-farm efficiency measures. On 7 February 2013, the federal water minister announced that the Water Amendment (Water for the Environment Special Account) Bill had been passed in parliament, securing the additional 450 gigalitres and its associated \$1.77 billion funding. The adoption of the basin plan is of course great news, although the delayed targets are disappointing. We can only hope that another major drought does not occur before extra water begins to flow.

We need to recognise that as well as Adelaide, almost every other town and region in the state as far west as Ceduna remains dependant on a healthy river for its water supplies. Committee member and member for Frome, Mr Geoff Brock MP, was always quick to remind us that cities like Port Pirie, Port Augusta and Whyalla would cease to exist without a reliable water supply, and at the present time the Murray is the only source.

South Australia will need to stick to its guns on the need for additional water, because Victoria and New South Wales have said they will oppose the proposed 3,200 gigalitres per year water return in the basin plan. It is easy to forget the dire situation we faced in 2010 before the drought broke. We do not want to ever experience those conditions again. The downside to the proposal is that some riverside shacks in South Australia will be exposed to a higher risk of flooding. That is something we need to be aware of and plan for, bearing in mind that in the past shack areas were regularly flooded. It is only in more recent times that this has not occurred.

I thank all of those who gave their time to assist the committee with this report, and all our other reports. The committee this time around heard from two witness from the Department of Environment, Water and Natural Resources, as well as reviewing documentation provided by the department on the Murray-Darling Basin Authority modelling and South Australia's scientific review of the modelling.

I would like to commend the members of our committee—the member for Frome, the member for Torrens, the member for Little Para, the member for Mount Gambier, the member for Stuart, the Hon. Robert Brokenshire MLC, the Hon. John Dawkins MLC, the Hon. Russell Wortley MLC, and former committee member the Hon. Gerry Kandelaars MLC—for their significant contributions and also their patient work through all the different information we had before us. We all worked cooperatively on this report, and we were greatly assisted by the committee staff. I commend this report to the house.

Mr VAN HOLST PELLEKAAN (Stuart) (15:50): The opposition certainly also supports this report, and as a committee member I am very pleased to have participated in this work—and it was clearly very important work on behalf of the whole east coast of Australia. There were lots of people—lots of committees, government agencies, private people, volunteers, and businesspeople all over the nation—trying to contribute to this solution, and certainly we did our bit, as well.

I say unashamedly that had all the various state and federal governments worked in the same harmony that our bipartisan and cross-party committee worked, solutions would have been reached far sooner. I really do commend my colleagues on this committee and our chair, the member for Ashford, for the way in which we went about this work.

These are complicated and difficult issues, and it has been hard to come up with the right answers, but we did come up with recommendations that we thought were very appropriate. A few months down the track, and I think nearly a couple of years after we started, I still believe that the recommendations we put forward were very sound ones.

The issue that has dogged this whole topic for a very long time has been the competition between states, and I hope that, having had a relatively important day yesterday with the formal adoption of the Murray-Darling Basin Plan, some of that will be put behind us. We have a plan, we have to move forward, and we have to do the best we possibly can for the communities and for the environment that rely upon this whole Murray-Darling Basin system.

I would also like to say that I think it is very important to recognise the fact that, quite a few years ago now, it was actually John Howard as prime minister who put \$10 billion on the table to try to work towards a solution. I know that it was frustrating for everybody that it took so long, and his initial endeavours were frustrated, but we now do have a plan and we have to move forward. I fear that the competition between the states has not all diminished and that that will be one of the greatest challenges as we all move forward together.

I urge wholeheartedly every single state, every single minister, every premier, every agency and everybody involved in this: stick to the plan, stick to your commitments, and do not withdraw from what you have said you will do, or what your agency or state have said they will do, to try to make this work. If people stick to their commitments, we have a very good chance. If people continue their haggling, we are probably doomed to be back in exactly the same situation once again.

Mr BROCK (Frome) (15:53): I, too, would like to rise and also speak on the 76th report of the Natural Resources Committee on the return of the water. As the other speakers have already indicated, it is a great relief. It is a really great relief to see everything being signed off in the federal government yesterday. It has been very well received by the communities of Port Pirie, Port Augusta, Whyalla and other regions of South Australia that really depend on the health and security of the River Murray to ensure that it is a vibrant and healthy river system, as otherwise we in our regions will not be able to succeed or survive.

I re-endorse the member for Stuart's comments: politicians in other states should have acted as we have in our committee, as a tripartisan group. There was great support with lots of debate, issues, comments and suggestions, but we worked very well. One of the issues that we had was that the end goal was to have a good result for South Australia, and that is what we were looking for. We had no political arguments. Everybody was in agreement with whatever was best for a regional South Australia and South Australia.

When we went out there and took some recommendations from people, from key stakeholders, as would the member for Stuart, I would always tell them that we were from the country. They asked us why we were concerned about the health of the River Murray when we are 200 or 300 kilometres away. Well, that is one of the reasons that we are concerned about the health of the River Murray: to ensure that we have adequate water coming down to have a healthy, vibrant system.

I also congratulate the member for Ashford. She has been a great presiding member of this committee. This is not the first report we have done. We have done many reports, and I will say in this house again that I believe our committee is the hardest working committee in the South Australian parliament—without fail. We take our job very, very seriously. We go out and look at it firsthand and, even though it may be a bit more of a financial burden on the state, we certainly do our job correctly and to the best of our ability.

For too long water in South Australia and Australia has been a political issue, and it gets handballed from one side of government to the other side by political parties. We have to get away from that. We have to start thinking as Australians and not as South Australians, Victorians, New South Wales people, or Queenslanders. We should be looking at the whole of the river system. Unfortunately, South Australia is at the tail end, but we have got a good result out of this.

Again, I commend the member for Ashford for her great leadership and also my other colleagues on this committee. It has been a learning experience, and we are continuing to learn. We worked very well to get a good result out of the final discussion. Thanks also to our staff. Certainly, Mr Deputy Speaker, I commend this report to the parliament.

Motion carried.

PUBLIC WORKS COMMITTEE: GOODWOOD JUNCTION RAIL GRADE SEPARATION

Mr SIBBONS (Mitchell) (15:57): I move:

That the 463rd report of the committee, the Goodwood Junction Rail Grade Separation, be noted.

This project has a capital cost of \$110 million and will be complete in September 2013. The existing Goodwood rail junction is an at-grade crossing of the single track standard gauge interstate railway line and the broad gauge double track Seaford passenger line. This crossing is located in a narrow corridor, which is constrained by three road level crossings: the Goodwood railway station (including a pedestrian underpass), the Glenelg tramway overpass and the Goodwood Road underpass.

At present, the interstate main line has two points at both Goodwood and Torrens junctions where the suburban passenger lines cross over, causing delays to the interstate trains as they wait for the suburban passenger trains to pass. Following investigations by the DPTI into the feasibility of grade separation options, a rail underpass was identified as providing the most cost-effective solution, particularly considering the narrow rail corridor, potential impacts on the adjacent road network, access to local businesses and residential properties, and a range of environmental and social implications.

Grade separation of the Goodwood rail junction will remove the current at-grade crossing of the Seaford line and the ARTC line. This will greatly improve train operational efficiency by enabling both lines to be open for uninterrupted use. The Goodwood Junction rail grade separation program includes design and construction of the following elements to ensure operation of DPTI electric and diesel passenger trains and interstate services on the ARTC line:

- grade separation of the Seaford rail line from the ARTC interstate line
- grade separation of the Seaford line from the existing Victoria Street level crossing
- realignment of the existing Brown Hill Creek drainage channel to facilitate the above works
- pedestrian and cycling facilities
- Keswick station upgrade, which will be delivered at a later stage and does not form part of this submission.

Given this, and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Mr PENGILLY (Finniss) (16:00): I thank the member for Mitchell for that report. Doing a report on something that he had nothing to do with is a bit difficult, but he accomplished it well. The opposition members of the committee supported this project and I am only too happy to stand up and say a few words about it. Interestingly enough, as the member for Mitchell indicated, the other aspect of it, the Wayville Keswick station, was to come in at a later stage and when the report was written that was indeed so. But we actually dealt with that matter this morning in Public Works, so that will come in the not too distant future for us to discuss also.

It is worth noting in relation to this Goodwood project that ultimately state and federal governments, via one persuasion or another, are going to have to deal with this whole issue of freight trains coming into Adelaide through the Adelaide Hills and down through this area. It has been talked about for years and someone is going to have to bite the bullet, so to speak, in the end.

There has been a lot of talk about bringing in a new freight rail through the north of Adelaide and coming down through that way, so that is going to be an enormous project when it happens, but with our increasing urbanisation and with the amount of population now in the Adelaide Hills and the pressures on the metropolitan area, eventually, as I say, governments of one persuasion or another are going to have to deal with it. In supporting the report in front of the parliament, I have just a few words to say. My colleague the member for Waite is unable to be in here at the moment, but we support the project.

The Hon. S.W. KEY (Ashford) (16:02): I would like to contribute to this debate seeing as Ashford is a complete building site at the moment, and I would also like to thank the Public Works Committee for allowing me to make a submission on behalf of residents in the Ashford electorate who are directly affected by this project, the Goodwood Junction rail grade separation project.

As has already been mentioned, there are also other projects that are happening at the same time: the electrification of the rail track; we have a stormwater mitigation project going on at the same time, particularly with regard to the Brown Hill Creek drainage area; and we have a Greenways project connecting up both bikeways and the pedestrian areas in the electorate; and, as has been mentioned, the Public Works Committee this morning were considering a project with regard to the Wayville Station project and the associated drainage that will go with that. I think the nightmare of the building works will continue in Ashford right up until December.

The point that has been raised by the member for Finniss is one that I also wanted to raise. Residents have for a long time, and I know this affects other electorates as well, campaigned against having a freight train going through the middle of the suburbs. I would agree, although trains are a good option for moving freight, having them run through the middle of the suburbs is of real concern.

In fact, some people have explained to me that, now with all the works that are going on, they will actually be able to touch the train going past because of the way the track has been moved and also the fact we have had houses demolished and changes to people's boundaries. While they were close to the freight train before, and being able to touch the freight train may be a slight exaggeration, it certainly is a concern if you are living next door to it.

The people in Ashford have had to put up with not only the four projects but also the associated problems that go with them. I can see the health of a number of constituents deteriorating as the noise continues and, as much as they are prepared to look at the noise being something that is associated with the works that are happening in Ashford, they really want to make sure that there is noise abatement in regard to the ongoing number of trains, both passenger and freight trains, that will be going through Ashford.

They are saying, 'We want to see development and things improve, and we understand why trains are important as a transport carrier. We support all that, but we want to make sure, at the end of it, that the place actually looks reasonable, so we are very keen that the design and landscaping that has been promised will happen alongside that; but, also, we want to make sure that we are going to have proper attention paid to the noise that will be ongoing as a result of these changes.'

Not only has it been noisy but it has also been very dirty and, when the weather was hot, having dust blowing around the electorate has been very difficult for many people to cope with. I think some measures have been taken by Department of Transport contractors in regard to that, but it has certainly been an issue. Rubble has been piled at the front of people's places, and a couple of businesses have contacted me recently and said, 'We know there are going to be some difficulties having such a project, but why does the rubble have to be out the front of my shop and why can't it be moved efficiently?'

With the rail closures, we have had an increase in the number of buses providing public transport because, of course, people who would normally travel on the train are now on the bus, and there have been some real concerns about the route of some of those buses. People are saying, 'Why do we have to have additional buses through the middle of East Avenue, for example, and Victoria Street, when we already have a bus service going through that way?' and, 'Why can't the people from the south come down Cross Road and Goodwood Road or Marion Road?' and, 'Why do we have to have the extra buses going through the middle of the suburbs?' Those are all questions that I have been raising with the appropriate ministers.

Because we are going to have a great big cavern for the passenger trains to go through at the end of this project, obviously there have been lots of trucks of soil being shifted around the electorate. There have been calls on many of the streets in Ashford for the speed of the vehicles that are now going down those streets, particularly Leah Street (that is, the trucks, buses and general increase in traffic during this project) to go down to 25 km/h while the works are happening. They are not saying that should happen at night—although sometimes the works go from seven in the morning until 10 at night, seven days a week. They are saying, 'We want this project to be over as quickly as possible, too, but there needs to be more consideration for the people who live in this area who are here all the time.'

I am very pleased that the Department of Transport has seen fit to provide a forum for discussions, which is a consultative advisory group (CAG) that has been set up. One of the problems I can see with the CAG is that it meets every second Wednesday. It usually meets when parliament is sitting, so I cannot possibly go to any meetings—not that I was invited to be involved

by the department or the contractors. The council is represented, and we are very blessed that there are at least 10 residents at every meeting who are prepared to put in the time to talk about all the issues at those CAG meetings to try to make sure that the contractors and the departments are very clear about the major ongoing issues for people.

So, I think it is a good forum but I can really see people getting fatigued at going to so many different meetings. They go to a meeting in their own street, they will go to the almighty Goodwood Residents Action Group meetings, and they really try hard to make sure everybody's issues are taken up. I will take this opportunity to congratulate the Goodwood Residents Action Group and the different street groups that are now set up in Ashford and I hope that they will continue to do their work and make sure that they keep both the Unley Council and me up-to-date with what we can do to advocate on their behalf.

Motion carried.

PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION: VOCATIONAL REHABILITATION AND RETURN TO WORK PRACTICES

The Hon. S.W. KEY (Ashford) (16:11): I move:

That the Erratum to the 13th report of the committee, on Vocational Rehabilitation and Return to Work Practices for Injured Workers in South Australia, be noted.

The reason for this erratum is that I noticed over the break that there was an unfortunate mistake in our report, located on page 16. There was an error in line nine, column three in one of our tables and, sadly, it does not reflect very well on the worker's compensation scheme because it talks about the duration of claims across different stages and, in fact, the results are much worse than what we had in our report. It was really a typographical error.

The figures show that there has been an increase in the average claims across stages, with the most marked increase being 0 to 26 weeks time period which went from an average claim of 51 days in 2001-02 to 61 days in 2010-11. There is also a quote that was miscalculated from Dr Purse where Dr Purse commented in evidence how claims statistics reflect the overall health of the worker's compensation scheme. The quote is:

...if you can reduce the duration of claims, you can reduce the cost of the scheme, and you do that in a positive way in which it benefits workers, people who would otherwise would perhaps be left on the scrap heap, and you are also doing it in a way which benefits employers because, if you can reduce their costs, you can reduce the average premium rate for employers.

I think it was important to highlight that mistake, hence I hope that our erratum will be accepted.

Mr VENNING (Schubert) (16:13): I rise to speak in support of the Chair of the committee, the Hon. Steph Key, in relation to this erratum. I noted all those corrections and I don't think I will need to spell them out again, but I rise to say that they were just an oversight and it is good that we have put the record straight on this occasion. I want to say how much I enjoy my attendance at those meetings. Some of them are a bit over my head, but it is certainly a very rapid learning curve for me, particularly in these areas of our society that I would not normally be involved with. I also enjoy the chairmanship of the Hon. Steph Key.

Motion carried.

PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION: ANNUAL REPORT 2011-12

The Hon. S.W. KEY (Ashford) (16:14): I move:

That the 14th report of the committee, entitled Annual Report 2011-12, be noted.

I just want to affirm, for the other committees that are here, that this is the last report I am putting forward today. The committee has an important role in investigating matters relating to the administration of the state's occupational health, safety, rehabilitation and compensation legislation and other legislation affecting these matters, including the performance of SafeWork SA and WorkCover. The annual report covers two financial years, namely, 2010-11 and 2011-12.

The Occupational Safety, Rehabilitation and Compensation Committee differs substantially in operation to other standing committees. While a number of factors are identical to all other standing committees of parliament, the key difference with this committee is that members are not remunerated. Thus, the members' dedication to the work of the committee is noteworthy.

Mr Venning interjecting:

The Hon. S.W. KEY: That's right. The committee tends to be issue focused, and its level of activity fluctuates depending on the existence of topical matters. The members are committed to the important work of the committee and have applied themselves diligently in the previous two years. The committee has worked well and collectively, and each member has contributed a significant amount of time for a very important cause. Each can feel proud of his or her efforts (although I must say that I am the only 'her' on the committee).

The Occupational Safety, Rehabilitation and Compensation Committee met on 19 occasions between July 2010 and June 2012, undertaking a single in-depth inquiry into vocational rehabilitation and return to work. The committee also invited the Hon. Susan Ryan AO to make a presentation on labour participation of mature age workers. While the committee has not undertaken a formal inquiry into this issue, it did undertake research and notes the growing public interest in the area.

The committee notes that the South Australian return-to-work rates of injured workers has consistently been lower than the national average for the past 14 years. In fact, it is currently the lowest in the nation, yet the frequency of use of expensive vocational rehabilitation is exceptionally high and on the increase. Such a combination of factors continues to have a negative impact on WorkCover's unfunded liability and the overall performance of the scheme, not to mention on the lives of those workers who have not returned to work.

Following the reforms—I probably would not call them reforms, but changes—in the 2008 legislation, this state's workers compensation scheme has been constantly in the spotlight. Several independent reviews have been conducted, and it is clear that the South Australian return-to-work rate is significant to all the stakeholders. The committee recognises this significance, and the aim of its inquiry was to discover reasons for the current rate and ways to improve it.

The committee noted that there is no consistent way of measuring return to work in Australia, which is of serious concern. Another problem is that rehabilitation is driven by claims management imperatives rather than a system that generally assists injured workers and employers. Evidence was presented to the committee in relation to the claims-related costs, some of which it asserted are inappropriately allocated to rehabilitation. While rehabilitation should deliver value for money, the evidence indicates that this is not being achieved, and the system needs substantial reform.

In May 2012 the Age Discrimination Commissioner, the Hon. Susan Ryan, was invited to make a presentation to the committee while she was in Adelaide. The commissioner provided the committee with an overview of what is occurring at a national level to address structural barriers for mature age workers remaining in the workforce. It may be of some surprise to my parliamentary colleagues to learn that a mature age worker is anyone over the age of 45—

Ms Bedford: 45 is the new 60!

The Hon. S.W. KEY: The member for Florey says that 45 is the new 60; very interesting—of which South Australia has the highest concentration. The commissioner informed the committee that the federal government is working towards removing barriers so that people can continue to work into their 70s and beyond.

There are several reasons for this. First, there is an increasing interest by many mature age workers to remain in the workforce for longer because they have insufficient retirement funds. The commissioner informed the committee that there are an estimated 2 million people in Australia over the age of 55 who are not working but who are able to work and who would work if work was available.

Currently, more than 80 per cent of retirees rely on an age pension, so there will be increased pressure on the federal government's resources as more people reach retirement age and leave the workforce. Research also predicts that as baby boomers leave the workforce there will be a skills shortage that will not be met by new young workers or migrants. A mass exodus will affect Australia's productivity and economic outcomes.

National Seniors Australia submitted to the Australian Human Rights Commission that the economic loss for not utilising the skills and experience of older Australians is estimated to be \$10.8 million a year. The committee is interested in the health and safety and workers compensation arrangements that may impact on mature age workers and believes that further work is required to address issues associated with the ageing workforce and the resultant change in workforce requirements and retention issues.

The 14th report of the Occupational Safety, Rehabilitation and Compensation Committee summarises the committee's work for the financial years 2010-11 and 2011-12. The cost to the taxpayer has been minimal: the total expenditure for our committee has been \$3,461.

I would like to take this opportunity to thank all those people who have contributed to the vocational rehabilitation and return-to-work practices inquiry. I thank all those people who took the time and made the effort to prepare submissions for the committee and to speak to the committee. I would also like to thank the Commissioner for Ageing, the Hon. Susan Ryan, AO, for her presentation to the committee.

My sincere thanks go to the members of the committee: the Hon. John Gazzola, the Hon. John Darley, the Hon. Rob Lucas, the Hon. Gerry Kandelaars, the member for Schubert, the member for Taylor, and the member for Mitchell. Also thanks to the staff: Mr Rick Crump, Ms Carren Walker, Ms Mia Ciccarello, Dr Leah Skrzypiec and Ms Sue Sedivy, who is our current and very excellent executive officer and secretary. I commend the report.

Mr VENNING (Schubert) (16:22): I will speak briefly to support the member for Ashford, the chairman of this committee, to the annual report 2011-2012, the 14th report of the Occupational Safety, Rehabilitation and Compensation Committee.

As I said earlier, I have enjoyed my time on this committee. It has been a steep learning curve for me. I would like to pay tribute to the members who served—and they served, I remind the house, for love and commitment because there is no remuneration at all. It is really quite uplifting to realise that people were there to do the job rather than for any financial remuneration. Again, credit to the chair, the Hon. Steph Key; the Hon. John Darley MLC; the Hon. John Gazzola; the Hon. Rob Lucas; the Hon. Leesa Vlahos; Alan Sibbons; the Hon. Gerry Kandelaars and myself. Also to the staff, who have just been mentioned: the secretary, Rick Crump; Carren Walker, Sue Sedivy, Mia Ciccarello and Dr Leah Skrzypiec.

I certainly enjoyed my time on this committee and I found the references pretty interesting, and I will comment on two of them. The committee inquired into the vocational rehab work and return-to-work practices for injured workers in South Australia under the Workers Rehabilitation and Compensation Act 1986. The committee made a number of important recommendations which aimed to address the issues raised through the inquiry.

This was a most unique opportunity for me because I have been in this house for a long time and this issue was a serious issue facing the state. When you see some of the statistics, particularly the return-to-work rates that have come before the parliament in the first instance and then secondly to this committee, it is quite unique in having a bipartisan approach to this. In the past in this house the debate can be rather parochial on party lines.

From the standard of witnesses (particularly from the Hon. Steph Key and acquaintances of hers), the information coming forward and the recommendations made, I only hope the government has a very good look at this and picks up the recommendations because we cannot continue to remain as the poorest performing workers compensation scheme in Australia.

The government has had two or three goes at fixing it and has failed, and when you look at it the reasons are obvious. The system was set up to fail, and I think the committee has highlighted that, particularly with the performance of certain service providers. They certainly came under scrutiny and people made excuses. Madam Chair, you did a fantastic job of keeping your cool and asking various people the questions that had to be asked. I only hope that the government picks up on that.

Of special interest to me was that the committee also considered how changes to the retirement provisions might impact on workers compensation and health and safety in Australia. While the committee did not undertake a formal inquiry, it did receive evidence, as the chairman just said, from the Hon. Susan Ryan AO, the Commissioner for Ageing, and undertook research relating to the issues. I found that quite pertinent and interesting, particularly if you consider the average age of our committee. I think we would have to be one of the oldest committees in the parliament for many years—me being one of them, of course.

The Hon. S.W. Key: Except for Alan!

Mr VENNING: Except for Alan; he probably brings the average age down. As the workforce ages, this is a very important question. People ask me, 'Why are you retiring?' and I tell them that I think it is time but, really, there is no reason at all—particularly when you see the

Hon. John Darley there at his age, still contributing very well indeed—why people should not continue longer in the workforce.

It was extremely interesting to hear, particularly from Susan Ryan, about how aged people are needed in the workforce, especially in the future and, rather than be passengers in the system, we need to be contributors, and that is what we ought to be. If you are well, you are able and you are capable, you should stay there. I commend the report to the house and again say to the chairman that I have enjoyed my work on the committee and look forward to the next report.

Motion carried.

**PUBLIC WORKS COMMITTEE: LEGAL SERVICES COMMISSION HEAD OFFICE
RELOCATION**

Mr SIBBONS (Mitchell) (16:27): I move:

That the 469th report of the committee, on the Legal Services Commission head office relocation, be noted.

The committee received a proposal to provide a new office fit-out of 4,367.8 square metres in the building at 30 Flinders Street, Adelaide, to relocate the Legal Services Commission head office and its 170 staff from its current location at 82-98 Wakefield Street, Adelaide. The proposed fit-out will comprise part of the ground floor and the totality of the first, second and third floors at 30 Flinders Street.

The estimated capital cost for the fit-out is \$6.23 million, which will be funded by the commission. The relocation of the commission's head office will include the following outcomes: a modern, flexible and safe work environment that will significantly improve occupational health safety and welfare conditions for staff; improved safety and amenities for clients, with a central location close to transport; appropriate levels of security to maintain a safe working environment, including secured mediation and client interviewing rooms; improved records management regimes to reduce unnecessary paper production and storage at work points; and re-use of existing furniture and utilisation of fit-out materials based on their potential for re-use and recycling.

There will be no impact on the general government net operating result and net lending position, as the allocation of costs across the forward estimates will be met from existing cash reserves held by the commission. Based on current projections, it is expected the commission will meet the additional operating costs associated with the change in accommodation until 2017-18. Remaining in the current accommodation will still lead to additional costs for the commission. The project will be complete in August 2013. Given this and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Mr GARDNER (Morialta) (16:30): The members of the Public Works Committee who represent the Liberal Party are the members for Waite and Finniss. They are both fine, hard-working members. In the interest of assisting them in their daily business and so that they may rest their voices at this moment I will briefly comment on their behalf. The member for Mitchell has provided a summary of the report, which the casual reader of *Hansard* may be interested in having a look at if they want the quick summary. For those who are more interested in the matter at hand—the Legal Services Commission head office relocation—I would commend to them the report in its entirety. With that, I confirm that the opposition supports the motion that the report be noted.

Motion carried.

PUBLIC WORKS COMMITTEE: RIVERBANK PRECINCT PEDESTRIAN BRIDGE

Mr SIBBONS (Mitchell) (16:31): I move:

That the 470th report of the committee, entitled Riverbank Precinct Pedestrian Bridge, be noted.

The Public Works Committee has received a proposal to construct the Riverbank Precinct Pedestrian Bridge across the Torrens Lake at a cost of \$39.527 million. The bridge forms part of the master plan for Adelaide's Riverbank Precinct. The government announced its commitment to the development of the pedestrian bridge in 2010 as part of a \$394.208 million investment to revitalise the Riverbank Precinct. The proposed site (and land where associated works will occur) consists of portions of land in the area known as Tarndanya Womma (Park 26) directly south of the proposed southern entrance to Adelaide Oval abutting War Memorial Drive. At the southern bank, the bridge landing will be situated immediately west of the Dunstan Playhouse.

The pedestrian bridge and associated works will largely be constructed on portions of Parkland under the care, control and management of the Corporation of the City of Adelaide (the council) and on relatively smaller portions of property under the ownership of the Minister for the Arts and the Minister for Transport and Infrastructure. There is in-principle agreement by the state government to accept the council's request to take ownership of the completed bridge on the proviso that council accepts responsibility for ongoing maintenance of the bridge.

Mr Venning: Who is going to paint it?

Mr SIBBONS: The member for Schubert, obviously. Following consultancies into pedestrian demand—

Ms Bedford: Is he a licensed painter?

Mr SIBBONS: Is he a union member?—and appropriate design solutions, the proposed bridge will consist of an eight-metre wide structure with: superstructure; bridge deck including soffit; piers and footings; abutments and retaining walls; barriers, parapets and handrails; and a bridge cladding system incorporating large 10 millimetre thick hardened glass panels with a white interlay.

Bridge associated works include on-ground extension of the bridge at the northern landing point to enable access to and from the Adelaide Oval Southern Plaza across Memorial Drive, a viewing platform projected over the River Torrens and waterfall feature on the northern river bank, direct connection to the bridge from Festival Drive on the southern river bank, and stairs incorporating a water feature and associated infrastructure on the southern bank adjacent to the bridge.

Civil and enabling structures include: feature lighting; way-finding and interpretive signage; bollards and vehicular barriers; street furniture; retaining walls; paving and decking; steps and footpaths; a lift structure to provide access on the southern bridge landing; and War Memorial Drive pavement modifications between the bridge extension and Adelaide Oval southern entry.

Modifications to existing buildings include: Dunstan Playhouse Plaza modifications to accommodate the bridge southern landing; Adelaide Festival Centre Bistro modifications, including a new outdoor terrace area; provisions for future extensions of Adelaide Festival Centre administration space; and Adelaide Railway Station northern entry modifications, including improved access from the southern landing.

It is estimated that the annual cost to operate and maintain the bridge is in the order of \$320,000. This includes an allowance of \$155,000 for power and lighting, \$145,000 for cleaning and \$20,000 for landscape maintenance. The council has indicated it is prepared to meet all ongoing costs associated with the operations and maintenance of the pedestrian bridge subject to a transfer of the asset ownership to the council on completion of the works.

It is proposed that the bridge be available for pedestrian use in November 2013 for the Ashes Test, with final works complete by February 2014. Given this is pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Mr GARDNER (Morialta) (16:36): In order that we may get through as many of the agenda items on committees and subordinate legislation today, I will again be brief. Just to again recommend to the casual reader of *Hansard*, the member for Mitchell's speech for those looking for an executive summary, and, for those more interested in the in-depth, the entire report. I particularly commend to such a casual reader the fine work of the members for Waite and Finniss and the contributions that they have made to this report, and I am sure that that will be identified in the report. The opposition supports that this report be noted.

Mr VENNING (Schubert) (16:37): I take more than a casual interest in this bridge. I did support the bridge from the outset, but not one so lavish and so expensive and of doubtful design that we are now talking about. Firstly, this bridge has been designed on the curve, so to speak. Why this design? Because it looks good and it is very groovy, and it is supposed to blend in with the situation there. Well, I would ask the question as to why, because why do you need to have a curved bridge there when everything else around the place is on the square anyway? The city is on the square, so why put a bent bridge in the middle of a square city?

Of course, my biggest concern—and as one with some structural experience—is that this design compromises the inherent design. Its structural strength is substantially weakened by being curved, and adds largely to the cost to build the thing in the first place. Obviously, if we look at a

reservoir wall, that is built on the round because of the strength that is inherently built into it. In this instance, if we build a bridge which is flat but on the curve, full span, you do not have to be an Einstein to work out there are some areas of weakness in the bridge. You cannot beat one span straight up and down for strength. So, I can see that whether it is in five years or 10 years, this bridge will crack because of movements on both sides of the—

Mrs Geraghty: Is this your engineering degree coming out?

Mr VENNING: Absolutely. Building on the square keeps it strong. I just cannot believe that the orders given to the architect were, 'We want a bridge to fit this beautiful area that we are building.' It is a lovely spot, but I cannot understand why it had to be curved, because it does add hugely to the cost—\$40 million is a huge amount of money.

I inspected the site approximately 12 months ago with a business friend of mine, Mr Bob Ahrens of Ahrens Ltd, and we both considered that \$5 million to \$10 million should have been enough for a strong, basic bridge. Also, there are high-cost features incorporated in this—very high cost—that not only add to the building costs but also add hugely to the maintenance. I expect it will fall into disrepair, when a basic bridge would not. How much a day is the cost of \$320,000 per year? It is not quite \$1,000 a day just to maintain it. We presume that the city council will be picking up the bill.

Because of the glass, the fountain, and everything else, it will decline within five to 10 years, and it will take a lot of maintenance and a lot of money to keep it looking pristine because of where it is. The extra cost of this Rolls-Royce bridge is not warranted and we cannot afford it. The state is cash-strapped. Finally, I cannot believe that we designed a bridge where the exit end at the oval drops to the same level as the road. Why? If you are crossing a river, why would you not continue to cross the road before you descend to ground level? There is going to be a bottleneck. I know they are talking about closing the road when people are leaving the oval.

We saw what happened to the Adelaide Airport. I was amazed. We had these highly qualified architects design Adelaide Airport. When you came out of Adelaide Airport, as a pedestrian you had the taxi rank right there, and taxis could not get past because we were all going across the pedestrian crossing. Who designed that? Well, the same is going to happen here. You are going to have a huge number of people surging out of the stadium, and you have that road which really ought to be open for our buses and taxis to exit from; but no, you are going to close it. Why? Because we have dropped down the bridge so that people have to cross the road.

I think that is crazy. For the amount of money we are spending, why did they not elevate the bridge to the point of going over the road and dropping the road a metre—and I have already spoken to Mr Rod Hook about it—and then there would be no interaction between cars and pedestrians. I cannot understand how a project that costs this amount of money is flawed before we even pour the first bit of concrete.

I am quite disturbed that it costs \$40 million; \$40 million would almost buy a new Barossa hospital, and I know that is by the by. Yes, I support the idea of a bridge, but I would not have spent the money on the Oval either. I would have built the bridge, I would have upgraded the facilities—new toilets, new catering facilities—and then waited to see how the public responded to having the football code back in the city and, if it was all good, then we would spend the money.

I am a cautious person, but I think we have really exposed the state to a lot of money that we are going to be paying back for many years to come. Long after I am dead, you are still going to be paying for this bridge and for this Oval. I am very cautious about it. I think it is probably too late to change the design. That is how I see it, but I understand that we are supporting the project.

Motion carried.

ADELAIDE WORKERS' HOMES BILL

The Hon. A. PICCOLO (Light—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (16:43): Obtained leave and introduced a bill for an act to provide for the constitution of Adelaide Workers' Homes Incorporated. Read a first time.

The Hon. A. PICCOLO (Light—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (16:44): I move:

That this bill be now read a second time.

I introduce this bill in order that the Adelaide Workmen's Homes Incorporated (the association) has a legislated constitution and to clarify that the association may exercise the powers and functions to give effect to its purpose. This bill will enable the board to borrow money, acquire and dispose of real or personal property, to enter into joint ventures, and to receive donations and testamentary dispositions. The bill also provides that the association is taken to have always had the powers and functions set out in its constitution. The association takes the opportunity to rename the association Adelaide Workers' Homes to reflect the original intent to house workers of either sex and to keep abreast of contemporary linguistic practice.

The association has provided subsidised rental accommodation to lower income workers for over a century through two previous private acts of parliament known as the Adelaide Workmen's Homes Incorporated Act 1933 and Adelaide Workmen's Homes Incorporated Amendment Act 1966. The original deed of trust was established by the will of the late Sir Thomas Elder to provide workmen and women suitable dwellings at reasonable rental. The benefit to South Australia lies in strengthening a private provider of affordable housing for low income workers in the metropolitan area. I commend the bill to members and I seek leave to have the explanation of clauses inserted into *Hansard* without me reading it.

Leave granted.

Explanation of Clauses

1—Short title

2—Commencement

These clauses are formal.

3—Interpretation

This clause inserts definitions for the purposes of the Bill.

4—Name of Association

This clause relates to the change of name of the Association.

5—Constitution of Association

This clause provides for the Constitution of the Association and its variation. It also contains a validation provision.

6—Application of this Act

This clause relates to the application of the Act.

Schedule 1—Constitution

Schedule 1 sets out the Constitution of the Association.

Debate adjourned on motion of Hon. I.F. Evans.

MOTOR VEHICLE ACCIDENTS (LIFETIME SUPPORT SCHEME) BILL

In committee.

(Continued from 19 March 2013.)

Clause 4.

Mrs REDMOND: I was about to ask a question when we stopped yesterday to report progress on the advice the minister gave in relation to section 4(2) in which he suggested that, in fact, it meant exactly the opposite of what I think it means because of the very words 'despite subsection (1)'. The point we had been addressing was the fact that under this provision of subsection (2) it is quite clear that the LSS rules can be, if they chose to be, declared to be such to exclude any of the treatment that is listed in subsection (1)(a) through (m).

Whilst I accept what the minister said in the previous response about the intention being that, because the things listed in (a) to (m) are so broad that the rules are there and subsection (2) is designed to enable you to narrow it so that crock medical treatment or some fanciful training program can be excluded, the very words, I would suggest, 'despite subsection (1)' mean that the LSS rules can indeed be used to exclude any of the treatments in (a) to (m).

I just want the minister to confirm and perhaps consult with his advisers as to what is meant then by the term 'despite subsection (1)' if not specifically to say that, regardless of what has been said in subsection (1) these rules can exclude any treatment in (a) to (m).

The Hon. J.J. SNELLING: Parliamentary counsel advise me that a rule that excluded a whole category—so that is a category from (a) to (m)—would be ultra vires, which I am told means 'beyond power'. An example of the sort of thing which, despite this comprehensive list of things, the rules might exclude is home and transport modification. Obviously, if there is a need for home and transport modifications arising out of a person's injuries, home modifications would be done, but you would not expect that a person who is injured, under this scheme, would be able to have their bathroom redecorated. There are home modifications and home modifications.

Essentially, it is to enable, under the rules, provisions to be made so that whatever home modifications are done are to assist that person with their injuries. Nonetheless, the advice from parliamentary council is that it would not be possible under the rules to rule out an entire category as spelt out under (a) to (m) and that would, in fact, be ultra vires.

Mrs REDMOND: Thank you, minister, and I understand the term 'ultra vires' and I understand that advice. Nevertheless, the minister did suggest yesterday that subsection (2) did not mean that whole legitimate areas could be excluded. It seems to me that it would be possible, for instance, and just to take a ridiculous example (that I accept will never happen) in terms of the way it is drafted, dental treatment but excluding, for instance, dental treatment from a dentist registered in South Australia. It would not exclude the whole category of dental treatment but it would delete the legitimate use of the section that we anticipate. I simply do not accept the advice that the minister gave yesterday that the words 'despite subsection (1)' have any other meaning than that can be basically ignored and the LSS rules are free to go where they will.

The Hon. J.J. SNELLING: Parliamentary counsel cite *South Australia v Tanner* (1989), a case in the High Court, which essentially established the proportionality test, where regulations had to be proportionate, for want of a better word. At the end of the day, these regulations are subject to disallowance. If the government was attempting to be silly in the regulations, then it would be running the risk of those regulations being disallowed by the parliament.

Clause passed.

Clause 5.

The Hon. I.F. EVANS: Clause 5 sets out the application of the act and it sets out the types of injuries that are going to be covered for the participants in the scheme. I am interested in clause 5(3)(b) which sets out:

any other injury that, under the LSS Rules, will be covered as part of the person's participation in the Scheme;

It seems to me that subclause (3)(a) defines what the scheme is about, and that is:

any injury that is wholly or predominantly related to the motor vehicle injury that gave rise to the person's participation in the Scheme;

Given that all of the motor vehicle injuries are covered by paragraph (a), then what is intended to be covered by paragraph (b)? Is it possible that a participant who was in a non-motor vehicle accident can come into the scheme under that paragraph?

The Hon. J.J. SNELLING: Essentially, it is to provide some discretion. No, its purpose is not to allow people who have been catastrophically injured through something other than a motor vehicle accident to access the scheme. It is, rather, to allow some discretion to enable the scheme to provide or cover for the costs of injuries of people who have been injured in motor vehicle accidents but for injuries that are not directly related to the motor vehicle accident.

An example that has been suggested to me is that if someone suffers an impairment from a motor vehicle accident, if they then injure themselves because of that impairment, that enables the costs of the care of those secondary injuries to be provided for. So, it is simply to provide some additional discretion with the authority in those sorts of cases to be able to provide for injuries. That is its intention.

The Hon. I.F. EVANS: So where does it say that the LSS Rules cannot be so worded as to allow non-motor vehicle accidents to be included in the scheme? For instance, why can't the LSS Rules at that point say we are going to bring in horse riders? It talks about the motor vehicle injury being in the first clause, so they are covered, and then I think paragraph (b) is so broad as to be 'any other injury' that the LSS Rules wants to dream up. So where is the restriction around it?

The Hon. J.J. Snelling: You have to be a participant in the scheme.

The Hon. I.F. EVANS: No, to become a participant in the scheme you have to abide by the LSS Rules. The LSS Rules, under paragraph (b), can be any other injury that the rules say. It does not say any other injury that results from the participant's reason for being in the scheme under paragraph (a).

The Hon. J.J. SNELLING: The member for Davenport is confusing this clause with eligibility for the scheme. Eligibility for the scheme is covered in clause 24, which we will get to. What this clause relates to is what the scheme can essentially pay for. If you are injured in some other catastrophic accident, other than a motor vehicle accident, what determines the relevant section of the bill that determines your eligibility for the scheme is determined by other provisions in the bill in clause 24. The rules cannot override the provisions in clause 24.

The Hon. I.F. EVANS: The minister has raised clause 24; what I am arguing relates to clause 5. In clause 24 it provides that to be eligible for the scheme 'the injury suffered by the person satisfies the criteria specified by the LSS Rules for eligibility'. So, as long as it meets the rules of eligibility, it can be paid for. What I am trying to clarify is: where is the restriction that limits it solely to injuries that are caused through motor vehicle accidents?

The Hon. J.J. SNELLING: Since we are dealing with clause 24, we might move that it be printed at the same time. If you look at clause 24(1) it provides:

A person is eligible to be a participant in the Scheme if—

(a) the person suffers a bodily injury; and—

not 'or', but 'and'—

(b) the injury was caused by or arose out of the use of a motor vehicle; and

(c) the relevant motor vehicle accident occurred in South Australia; and—

Those are the criteria to be a participant in the scheme. If you do not fulfil those sections—and they are not 'ors', they are 'ands'—you cannot be a participant in the scheme. There is nothing in the rules that could override that section of clause 24.

Mrs REDMOND: I would like to go back to clause 5(1)(b), and I will canvass this now rather than under clause 6, although it may need further explanation under clause 6. I am puzzled as to who it is who is anticipated will apply for acceptance under the scheme and what 'buying into' the scheme will entail. I will cover that more fully in clause 6, but who is it who is anticipated will apply? If they have an injury that pre-dates the commencement of this act, who does the minister think will apply for acceptance into this scheme, and on what basis are they going to buy in?

The Hon. J.J. SNELLING: One of the examples where we may expect people might want to buy into the scheme are people who received a lump sum under the old rules, before the act comes into operation. They have received a lump sum and they may want to buy into the scheme using the lump sum payment they have received as part of their head of damages.

The Hon. I.F. EVANS: For clarity, my understanding is that the other people who can buy into this scheme are the people who have currently already suffered a catastrophic injury, as would be defined under the act, but who had no cover at all. So, if they could raise the money, they could buy in.

The Hon. J.J. SNELLING: If they could raise the money, indeed.

Mrs REDMOND: On clause 5(2), my reading of it is that it is quite broad; that is, the act applies in relation to a motor vehicle injury whether or not the injury was caused by the fault of the driver of the motor vehicle and so applies even if the injured person was at fault, whether as owner or driver of the vehicle or otherwise.

Does that mean that if you are engaged in a road race—going back to yesterday's question—down Magill Road, two Subaru WRXs in a road race down Magill Road, then the subsequent provision that we discussed yesterday would exclude that, but if you were just gunning it all by yourself to see how fast your WRX would go down Magill Road, then you are covered by this legislation? Is my understanding of that correct?

The Hon. J.J. SNELLING: So just to correct the member for Heysen, it does not matter how many Subarus there are racing; these provisions apply. You could be engaged in a race with someone and catastrophically injure yourself—the act applies—or you could be driving on your own. This was a debate we had: the extent to which the act should apply to people who are catastrophically injured through their own fault.

Where the government landed, after a series of consultations, was that, for the purposes of a person's care, the care should be done on a no-fault basis but that other heads of damages—economic loss and pain and suffering—should remain on a fault basis. So, to someone who was catastrophically injured through their own fault, the act will apply and they will be able to access the care under the scheme but they will not be able to sue, obviously, on a fault basis, for pain and suffering or economic loss.

The reason for that is because essentially those people who are catastrophically injured through their own fault still have to be picked up. We do not, as a state, allow those people to die in the gutter. They are provided for under our public health scheme and under our public disability scheme. One way or the other, the South Australian taxpayer is paying for the care of these people. It seemed a reasonable thing to do, for the purposes of their care, to provide for them under this scheme.

Clause passed.

Clause 6.

The Hon. I.F. EVANS: Clause 6 deals with the issue that the member for Heysen raised in the sense that it deals with the buy-in provisions of the act which we touched on in the previous answers. I am interested as to why there needs to be a definitional difference between someone accepted on a permanent basis and someone accepted on a temporary basis, and why they are simply not accepted as a participant in the scheme.

It seems to me that you are going to have people who are, for whatever reason, accepted as a lifetime participant who may well recover—and some of these will be 15-year-olds who live for 60 years—through medical advances and technology changes to a point where they may be able to exit the scheme.

I cannot work out what the benefit is to the law to say that you are in the scheme as a participant but you are only a temporary participant, because I think their benefits are exactly the same. The way I read it there is no difference in their benefits. I just cannot work out why we have set up a permanent and temporary system and not simply say, 'You are a participant.'

The Hon. J.J. SNELLING: Depending on the nature of the injury, some people who come onto the scheme will be temporary and some will be permanent. I am advised that there are some injuries, particularly brain injuries which, over a number of years, people can recover from. Other injuries, for example, spinal injuries, generally are of a permanent nature, and people do not recover, so that is why there is the provision for both permanent and temporary participants. Perhaps the member for Davenport might elaborate on his question if I have missed anything.

The Hon. I.F. EVANS: I understand that but, given that they get exactly the same benefit, why not just have one classification? What does it matter if someone is accepted into the scheme and they might recover in four, six or eight years? I do not understand why we are having two classifications. Surely if someone applies to the scheme and becomes a participant, at some point they can voluntarily exit the scheme.

The Hon. J.J. SNELLING: Are you asking why we need it to be temporary, or why we need it to be permanent?

The Hon. I.F. EVANS: I am asking why you need two classifications. Surely participants in the scheme will get exactly the same benefit, and they are entitled to exactly the same level of care and support and assistance, I do not understand the benefits to the scheme to have a definition, and I do not know why some bureaucrat is going to have to go through the process of saying, 'Is this person going to be temporary or is this person going to be permanent?' Frankly, who cares? If they qualify because of their injury, they are simply a participant in the scheme, and if they recover two, three, four, five years down the track that is fantastic.

Why have a cost burden in the scheme for someone to make a judgement about whether they are going to be a temporary participant or a permanent participant? Surely the judgement should be, 'Are you entitled to be a participant?' 'Yes.' 'Right, you are in,' and you get the care and, if you recover down the track and can leave, that is great. We are building a decision into the system that is going to cost money to the system, and I cannot understand what the benefit is to the taxpayer of having money spent on making a decision on whether someone is temporary or permanent. I think it should just be, 'You're a participant or you're not.'

The Hon. J.J. SNELLING: The reason is because once someone is accepted as a lifetime participant, they are a participant for life. You need provision for some people to be able to be temporary participants because they are going to recover, or may recover from their injuries to some extent, and may no longer need to be participants.

The Hon. I.F. EVANS: So, let me understand this, and I will leave it at this point, I think I have made my point—and I am not going to move an amendment—but I think I have made my point. So, the lifetime participant recovers after 20 years and that person is entitled to stay in the scheme for the next 20 years because they were classified 20 years ago as a lifetime participant?

The Hon. J.J. SNELLING: Yes.

The Hon. I.F. EVANS: Really? Surely the system does not do that. Surely the system says that you are assessed from time to time and, if it comes to the point where you have recovered and you do not need this level of assistance as provided by the act and you can leave, then surely you leave. But what we are saying here, is that—and this is the way I interpret the minister's answer—once you are nominated as the lifetime participant, even if you recover, you are still a lifetime participant.

My point is that I do not think that that is the best administration of the scheme. I have made the point. I think if you just have a participant, and if the person recovers, they leave the scheme. Why make a decision initially about whether they need to be a permanent or temporary participant? The decision should be that they have met the threshold—it was a motor vehicle accident, it was in South Australia, they are catastrophically injured, so they are in the scheme, and when they recover they recover.

Surely, it is not going to be the case that I have a catastrophic accident at age 15 in a car and I am assessed as being a lifetime participant. Twenty years later there is some gene technology that repairs my spinal cord and, even though I have the capacity to leave the scheme, because I was lucky enough to be defined as a lifetime participant I can then stay on the scheme for the next 30 years until I pass. Surely, the scheme does not work that way. Surely, at some point there is an assessment of your recovery, and they may say, 'Well, in actual fact you can leave.'

The Hon. J.J. SNELLING: The first point to make is in the example you raised. If a 15 year old is catastrophically injured and 15 or 20 years later there is a miracle cure, they may still be a lifetime participant on the scheme but their needs are going to be assessed as, essentially, zero. They might notionally be a participant, but the cost of their care is going to be zero. It is not an economic maintenance scheme. We do not pay them an income over that period. If they have no other source of income, they still depend upon the disability pension; this only covers the cost of their care. If they are fully recovered from their injuries, their care costs are going to be zero.

The other point is assessing the liabilities of the scheme. If you have a large pool of people who are all lifetime participants, you will have the liability going off forever; whereas, by having temporary participants, it does help contain the liabilities of the scheme.

The Hon. I.F. EVANS: When I am assessed as a temporary participant, am I told the time frame for which I am going to be a participant so that I can plan my life? If I have an accident and I apply to the scheme and they say, 'Yep, you are a temporary participant,' am I then given a letter that says, 'You are a participant for six years, three months and two days,' or how do I plan my life?

The Hon. J.J. SNELLING: Yes, there will be time frames.

The Hon. I.F. EVANS: Obviously, whether you are a permanent participant or a temporary participant is appealable. Can you contest it? If they say I am temporary and I should be permanent, can I contest it?

The Hon. J.J. SNELLING: My advice is, yes, you would be able to appeal it.

The Hon. I.F. EVANS: I have two more questions, and I will ask them both at the same time so that the member for Heysen can get to her questions. This is about a pre-commencement injury applying to become a participant. Does the injury have to have occurred in South Australia for a pre-commencement injury?

The Hon. J.J. SNELLING: It depends if you are buying into the scheme or not.

The Hon. I.F. EVANS: Yes, and if you are a visitor to the state—for instance, a Queenslander—and you have the accident in South Australia and then go back to Queensland to live because you were only here for a week's holiday, I am assuming that because the accident

occurred in South Australia you are entitled to lifetime care under the South Australian scheme even though you live in Queensland.

The other issue I ask is, if you do buy into the scheme and you pay a fee—you might want to give us some guidance or examples from New South Wales of some of the buy-in fees, but I am assuming they would be some millions. If you die within a set period, is there a refund? For instance, I buy in for \$2 million and I unfortunately pass away six months later. Is there any refund to my estate or is that just luck of the draw?

The Hon. J.J. SNELLING: With regard to buying into the scheme for people living interstate, given that on that basis it would be user pays, we would not see any reasons to restrict someone who had had a catastrophic injury interstate who had received some sort of lump sum pay out and then wanted to come and buy their way into the scheme. Obviously, it would be done on the basis that they were paying for it themselves. So, this is pre-commencement we are talking about—people buying into the scheme.

The Hon. I.F. EVANS: If there is a pre-commencement accident in Queensland five years ago, and that person moves to South Australia, they will be able to buy into the scheme?

The Hon. J.J. SNELLING: Yes; I would envisage that the authority would be very generous with regard to people who want to buy into the scheme. Given that it is not costing the scheme any money, they are buying into the scheme—there is no state subsidy, they are entirely paying for it themselves—I would envisage the authority being reasonably generous as to who they accepted. The second issue was about people having (I presume you mean, post commencement) people from interstate who had a motor vehicle accident in South Australia and were catastrophically injured. I would envisage that it would be done on the same basis, the same arrangements we currently have for our compulsory third party, under the current arrangements. I will check and get back to you.

The Hon. I.F. EVANS: This is on your first answer, minister. With all due respect to your advisers, I do not think your answer can be right. This bill restricts the injury to be a motor vehicle injury in South Australia, and then people can buy in. They can surely buy in only if the injury occurred in South Australia, because otherwise what we are saying is that any immigrant to the state, who might have had an accident in Italy, or England or Ireland, can then buy into the system.

The minister argues, based on his advice, that that does not matter to the scheme because it is going to be fully costed. The authority is going to say up front, 'Give us \$2 million,' or 'Give us \$3 million,' or what ever the figure is going to be. If that is the approach, why not open the scheme to any catastrophic injury on the basis they can buy in? Why not allow someone who has broken their neck riding a horse or diving off a jetty? It is about as relevant as a motor vehicle accident in Italy. And if it is going to be cost neutral to the scheme, which is the argument, why can't they buy in?

The Hon. J.J. SNELLING: The member for Davenport appears to be correct and I am incorrect. Section 16 needs to be read in conjunction with the section about eligibility, which is clause 24. We expect it would apply only to pre-commencement motor vehicle accidents in South Australia.

The Hon. I.F. EVANS: I was not going to ask this many questions on this clause but, given that we are where we are, is it possible in the bill for the administrators of the scheme, with the participant's approval, to transfer them to a like scheme interstate? For instance, if someone who was visiting South Australia from New South Wales was injured and went into the scheme, could they apply to be transferred to the New South Wales scheme; if so, does the authority have the power to do that? I do not see it anywhere in the bill.

The Hon. J.J. SNELLING: Are you talking about transferring out from South Australia?

The Hon. I.F. EVANS: Both, because there may be a South Australian injured in New South Wales who wants to transfer back. All I am asking is whether there is going to be an administrative arrangement set up so that the schemes can swap with the participant's permission.

The Hon. J.J. SNELLING: My advice is that there is nothing in the act that would prevent our scheme and the New South Wales scheme entering into a reciprocal arrangement to exchange. Obviously, the associated liabilities with the individual would have to go over to the other scheme as well.

The Hon. I.F. EVANS: Can I respectfully suggest that the minister consider putting a positive power in the bill that requires the participant's consent because currently there is nothing in the act that prevents it, but there is nothing in the act requiring the participant's permission to do that. I think it should be a positive power spelt out in the bill at some point. The other question I do not have an answer on is this: if you pay in and then die in a short period, is there a refund, or is that just bad luck?

The Hon. J.J. SNELLING: The answer to the first question is: I am happy to have a look at that between the houses. The answer to your second question is: yes, it would be bad luck; there is no provision for a refund in those circumstances.

The Hon. I.F. EVANS: Assuming that you buy in as a temporary participant, the fee that would be charged is for the period for which they have written to you saying that you are a temporary participant—the six years, two months and one day?

The Hon. J.J. SNELLING: You cannot buy in as a temporary; you can only buy in as a lifetime participant under this clause, I am advised, that is, 'may be accepted in the Scheme as a lifetime participant in the Scheme'.

The Hon. I.F. EVANS: Obviously, the question is: why is it that those who are catastrophically injured on a temporary basis cannot buy in? If I have an accident on the way home tonight and I am catastrophically injured, and the medical advice to me is, 'In five or 10 years' time there's a chance your brain injury will be such that you will be recovered,' why is it that I cannot buy into the scheme?

The Hon. J.J. SNELLING: I would only envisage people buying in if they had lifetime needs. I do not envisage people would buy in if the nature of their injuries and their associated payout (compensation) that they had received was for injuries that were temporary. You are talking about people who have been catastrophically injured and received a payment from the courts on the basis of that injury being forever and the damages being commensurate with an injury which is going to stay with that person for life.

We would envisage that it would be only in those circumstances that someone would want to buy their way into the scheme. For someone who is receiving compensation for an injury from which they expect to recover, I cannot see why they would want to buy into the scheme, because their payout would pay for their temporary costs.

The Hon. I.F. EVANS: No, I am sorry, minister: this scheme is covering those people who have swerved to miss a kangaroo and are not covered by the current scheme. If Mrs Smith drives home tonight, swerves to miss a kangaroo and no other vehicle is involved in the accident, she is not covered by the current scheme.

The Hon. J.J. SNELLING: Unless she raises the money herself.

The Hon. I.F. EVANS: Yes, but it is not up to the parliament to say to Mrs Smith we do not think she has the capacity to raise the money. The reality is there are lots of communities out there that, given the opportunity, would fundraise to help Mrs Smith buy into the scheme. As I said in my second reading speech, my family has been involved in exactly this process with my sister's partner's son who, through a motor vehicle accident, uninsured, received no payout—not a cent—and we have been raising hundreds of thousands of dollars to put into a trust to provide him care. Communities have done that. The chairman himself emceed a football club function on behalf of a young lad from the South-East who was in exactly this situation.

If, going forward, people can become injured to such an extent that they are only going to be a temporary participant in the scheme, surely, someone today, before this scheme commences, can be injured to the point where they will be a temporarily catastrophically injured person. Therefore, my view, and I ask you to consider it between the houses, is that they should be entitled to apply the same as any other injured person and it is up to the authority to decide what fee they are going to charge them.

Otherwise, you are going to have a very small group, I accept—we do not know how many there are out there: there could be two and there could be none—that is going to have a pre-commitment injury that would entitle them to be a temporary participant in the scheme and we will not allow them to apply. I think that is madness. They should be able to apply and the authority should be able to see a fee. If they recover, great.

The Hon. J.J. SNELLING: The primary purpose of the scheme is for the care of people catastrophically injured, with injuries from which they do not recover. Sure, there is provision for people to be assessed as temporary, but its primary purpose is for the lifetime care needs of people permanently injured.

We do not envisage that there would be circumstances where someone who had an injury which was foreseen as being temporary would want to buy their way into the scheme. That would not be the best way of providing for the needs of that person. The scheme is about providing for a person's lifetime care, not for people with injuries that are recoverable. Nonetheless, I am more than happy to have a look at this issue and look at the matters raised by the member for Davenport between the houses.

Mrs REDMOND: On the issue of persons wanting to buy in for pre-existing injuries and payouts that they have already received, I want to clarify that my understanding of what is intended is correct. That is, a person has their payment, and that payment at the moment includes the various heads of pain and suffering, the cost of care and economic loss and all those things. What they will be buying into is just for their care and treatment and support needs, and the rest of that will not be counted.

When that is paid in, it is paid into a pool rather than being their own money which is then managed by the scheme. There is just a pool so, in a way, it is a bet or an insurance policy. They are putting in money, the authority makes some assessment before they are accepted as to how long they are going to live and what they think their cost of care is going to be, and they say, 'We will let you into this scheme if you pay us this amount.'

In fact, it would seem to me that it is very unlikely that people who already have money are going to pay into that scheme because you have already indicated that they could die six months later in which case their estate loses all of that money and has no control over that. What I am interested in is in subsection (2)(a) to do with what you are able to purchase once you are accepted into the scheme. What you get is merely the guarantee that you will get whatever the authority assesses are your needs.

So, you might have particular wishes as to your treatment and care but you lose the control over what that might be in terms of what is spent on it because the authority will decide for you what treatment and care needs they will recognise, and that is all they will get paid out. Am I correct in my understanding of all of those aspects of clause 6?

The Hon. J.J. SNELLING: Yes, the member for Heysen is correct. We envisage, though, using a self-managed funds arrangement that we are rolling out into our state disability services that gives more autonomy to the person in terms of the providers they use. We will provide some autonomy to the person in terms of the choice of the services but in terms of the level of the services, they will have to be determined by the authority. The member for Heysen, broadly speaking, is correct.

Mrs REDMOND: Using the figure that the member for Davenport has been using of \$2 million, if someone has paid in their \$2 million and they are expecting to get their care, treatment and support from the scheme for the rest of their life and they want to have the new super-duper wheelchair that costs a lot more than perhaps what had been planned by the authority, are you saying that the person will have the discretion to say, 'Yes, I want that,' notwithstanding it might deplete what the authority thinks is necessary for the rest of that person's life if it is, for instance, a young person?

The Hon. J.J. SNELLING: The way it works is—and we are rolling this out in terms of our state disability system as well—that you cannot just go out to choose and buy whatever you want. If you want the super-duper wheelchair, you can get it. The way it works is that essentially you get a budget and you then get to choose the services that best suit your needs within certain constraints that are set out.

Mrs REDMOND: I am still then a bit puzzled about the concept of how it is all paid into a pooled amount. I can understand if it were a payment of a fixed amount by someone buying into the scheme that the authority has determined and that payment is then kept separate and managed virtually on their behalf with some discretion, and all of the interplay that currently goes on, for instance, with Public Trustee and people like that in management of people's funds who have had catastrophic injuries already. I used to deal with a lot of them. But I do not understand it when it is paid into a pool because the pool is just the pool, so how do you then have self-management within the scheme?

The Hon. J.J. SNELLING: Exactly the same way we are proposing to do for our state disability services. You are absolutely correct that you do not have an account with a certain amount of money in it, which you then get to spend however you choose. What you do have is some management over the services that you access. That is what we envisage. That is not what is provided for in the proposed act; this is just how we envisage it being run. It is a model of disability services which works very successfully elsewhere, and I envisage that that would be the way it would run.

However, you are absolutely right: you do not have an account with the amount of money you put in because, of course, the amount of money you put in is the net present value of the expenses of your lifetime care. That is the basis of it. So you do not have an account that you run down as such; it is paid into the pool, and the services that are provided to you are paid out of that pool of money.

Mrs REDMOND: One last question, and again it is just to clarify my understanding. In effect what you are doing is, if you chose to buy into the scheme, if you have already got your money and you choose to buy in, effectively you are placing a bet, because the only benefit for you in buying in to the scheme is, in fact, if you live longer than whatever the actuarial assessment has been. With the money that has been attributed for the judgement you have got, and the assessment that is made by the authority to determine the amount, if you live longer then you come out ahead; but, as the member for Davenport pointed out, if you happen to die six months later then your estate is much, much worse off.

The Hon. J.J. SNELLING: You characterise it as a bet, I would characterise it as insurance. It is exactly the same way you or I might purchase an insurance policy that we never claim on; we will have handed over tens or hundreds of thousands of dollars to our insurer without ever having made any claim on that.

The fact is (if my memory serves me correctly) that the information from the Motor Accident Commission is that, of the people who have been paid out lump sums under compulsory third party schemes, 90 per cent of them have expended that lump sum within five years. So the lump sum scheme generally does not work very well, and after five years people are thrown onto our state disability schemes or the charity of friends to continue to provide for them. This provides an option for people who do receive a lump sum pay-out prior to the commencement of the act to provide for themselves for the rest of their lives.

Clause passed.

Clause 7 passed.

Clause 8.

The Hon. I.F. EVANS: This clause deals with the capacity of the minister to direct the authority. Can the minister direct the authority in relation to the acceptance or rejection of an application to be a participant in the scheme? How is the minister's discretion limited?

The Hon. J.J. SNELLING: My advice is that this clause is common to many statutory authorities and the legislation that underpins them. No, it does not enable a minister to issue a direction for a particular case; it simply allows a minister to issue directions with regard to general policies.

Mrs REDMOND: Just following on from that, can the minister explain the case where the former attorney-general and, indeed, the former premier, insisted that the Director of Public Prosecutions, who had a much lesser discretion than the one promulgated in this bill, was able to direct in a specific case—and it went either to the Full Court of the Supreme Court or the High Court—and determine that, yes, the government could direct in a particular case that the DPP had to appeal.

The Hon. J.J. SNELLING: The provisions in the DPP Act are much more specific pertaining to the DPP than this. These are general rules. There is a specific provision in the DPP Act which enables the Attorney-General in certain circumstances to provide directions to the DPP. However, in regard to this, this provision as it is drafted has been interpreted as meaning general directions, not the ability of the minister to give a direction to the authority to make a certain decision in a specific case.

Clause passed.

Clause 9 passed.

Clause 10.

The Hon. I.F. EVANS: Why is there such a broad discretion to have the board made up of between three and 10 members? It just seems an extraordinarily wide spectrum. Surely, we could have five or seven or a number in the act; why between three and 10?

The Hon. J.J. SNELLING: It just copies the provisions of the Motor Accident Commission board, the legislation that governs the Motor Accident Commission board. I would envisage that in the early stages of this authority we would probably start with a very small board but that over time, as the funds grew and the complexity grew and more people came on to the scheme, you may want to provide the ability for the minister to expand it.

Mrs REDMOND: First of all, can I place on the record my congratulations to the government on this clause. We have reached the 21st century at last. This is the first board I have seen appointed in legislation brought in by this government that does not have the provision that says 'at least one member shall be a male and at least one member shall be a female'. At last, after all the years of making the Isobel speech in this parliament about the fact that we—

The Hon. J.J. Snelling: You know that now I am going to have to amend it, now that you have pointed it out.

Mrs REDMOND: Don't you dare, minister! We have at last reached the 21st century, we have true equality and the best people for the job will no doubt be appointed. Minister, I know that you are a man of many opinions, and my question relates to subsection (2), which requires that you appoint persons who have such qualifications or experience as are, in the minister's opinion, necessary to enable the board to carry out its functions effectively. Has the minister yet thought about, and can he give us any indication of, the range of qualifications and experience that he considers might be necessary for the board to carry out its functions?

The Hon. J.J. SNELLING: I would expect that you would need someone on there with some sort of familiarity with care needs of people with disabilities so, someone from the disability sector. I would expect that we would want someone with some experience as a director of a company. We may well want someone with some actuarial or accounting background as well. They are the sort of qualifications I would have in mind.

Mrs REDMOND: And not legal?

The Hon. J.J. SNELLING: Indeed, you may well want someone with a legal background as well. If the member for Heysen is looking for a retirement plan, I am more than happy to give her very favourable consideration.

The Hon. I.F. Evans interjecting:

Mrs REDMOND: I hate to tell the minister but I am planning to stay but, as the member for Davenport says, the member for Elder, who is busily working at a legal practice as we speak, no doubt could do it.

Clause passed.

[Sitting extended beyond 18:00 on motion of Hon. J.J. Snelling]

Clauses 11 to 13 passed.

Clause 14.

The Hon. I.F. EVANS: I am just wondering why three members of a board of 10 would be considered a quorum—clause 14(1) says that three members will be a quorum—even if you have 10 members on the board. I have never been involved in a committee where 50 per cent plus one is not a quorum.

The Hon. J.J. SNELLING: Executive council.

The Hon. I.F. EVANS: That is a sub-committee of cabinet.

The Hon. J.J. SNELLING: No, it is not. The parliament quorum is less than half.

The Hon. I.F. EVANS: Well, I have never been involved in a committee outside the parliament where it is not 50 per cent plus one and, given that clause 14(3) says that motions will

be passed, or decisions can be made by the majority of those members who cast a vote, that means that, if you have three members on the board and two do not cast a vote for some reason, one person can pass any decision.

Given that you are dealing with a levy that is going to raise hundreds of millions of dollars each year, I cannot see why the quorum would not be 50 per cent plus one of the board membership. The majority might need some work as well but, certainly, the quorum, I think, is an issue. I am wondering why you have decided to have three as a quorum and not 50 per cent plus one?

The Hon. J.J. SNELLING: These are the provisions in the Motor Accident Commission Act and we have followed those provisions.

Clause passed.

Clause 15 passed.

Clause 16.

Mrs REDMOND: I am curious about clause 16, which sets out the following functions of the authority, and subsection (e) is 'to keep the LSS rules under review', but there is no mention anywhere of who draws up the rules in the first place. I am curious about why. I would have assumed that the authority would draw up the rules and that therefore it would say something like 'to draw up the LSS rules and keep them under review'.

The Hon. J.J. SNELLING: Clause 56 sets out that the rules are made by the Governor upon the recommendation of the authority.

Clause passed.

Clauses 17 to 22 passed.

Clause 23.

Mrs REDMOND: My question is on clause 23(2), which is:

The code must also include...a process for receiving and managing any complaints that may be made to the Authority about how the Authority has exercised a function or power under this Act...

I take it that that is really only about behaviour of the authority or the people who are employed by the authority rather than about any decisions of the authority pertaining to a participant. I am pretty sure that was the question I wanted to ask there.

The Hon. J.J. SNELLING: Yes, that is the intention.

Clause passed.

Clause 24.

Mrs REDMOND: Again on subclause (2) of clause 24—and it is not only referred to here, but participation in the scheme may be as a lifetime participant or as an interim participant. I could not find any reference anywhere to, if you have an interim participation—and I gather from the responses you have given to the member for Davenport already that you get an interim participation for, say, three years. That is often a time that would be allowed for injuries to stabilise and all that sort of stuff.

So, you get your interim participation for three years, but there does not seem to be any provision to say that at the expiry of that three years, if the injury is satisfied, or if for whatever reason the authority is satisfied that it needs to continue as an interim participation, there can be a renewal of that interim participation. It seems to be either that you are an interim and then you are out or that you are a lifetime. I want to clarify whether my understanding of what I have read there is correct.

The Hon. J.J. SNELLING: I imagine the rules would set out that in circumstances—so, if you are an interim participant for say three years, at the end of that three years the person could then be assessed and determined to be a lifetime participant, or alternatively their interim participation could be extended for a period of time. We would anticipate that that would be provided for under the rules.

Mrs REDMOND: It is partly covered there, but partly covered in clause 26, so perhaps I will ask at that point because I do not think it is satisfactory, the way that it is drawn, as that is not evidently part of what the rules could contemplate, but I am happy for us to go on from clause 24.

The Hon. I.F. EVANS: Clause 24(3) confuses me because it says that a person is not eligible to be a participant in relation to an injury if the person has been awarded damages, etc. That is someone who is already injured, so it is a pre-occurring injury and they already have the money. I cannot work out why, just because they have already the money, if they decide that their lifestyle would be improved by buying into the scheme and the authority decides that the figure is X and they are happy to pay X, we are stopping them coming into the scheme. I cannot work out why we are stopping them.

The Hon. J.J. SNELLING: Subclause (4) states that subsection (3) does not apply to a person who has been accepted into the scheme under section 6.

The Hon. I.F. EVANS: So what is the purpose of clause 3? Clause 3 says you cannot be in the scheme unless you are accepted. Well, that is the same with anyone. I just cannot work out what the purpose of clause 3 is.

The Hon. J.J. SNELLING: The way a person comes into the scheme is either by application or by the application of the Motor Accident Commission. Action has to be taken for someone to fall under the lifetime care scheme. If that does not happen and a person pursues damages under their normal common law rights and receives a payout or compensation for their lifetime care costs, they cannot come under the scheme. Essentially, this provision is to stop people double-dipping.

The Hon. I.F. EVANS: So the only people who can buy into the scheme, as people who have suffered a pre-scheme injury, are those who have not received a payout?

The Hon. J.J. Snelling interjecting:

The Hon. I.F. EVANS: No, if they have received a payout pre-commencement. If I got a payout a year ago I cannot buy into the scheme.

The Hon. J.J. SNELLING: You can only buy into the scheme if you have a motor vehicle injury pre-commencement. This is to cover people post commencement who, because an application has not been made either by the person themselves or by MAC for them to be covered under the lifetime care, they have pursued common law damages and received a payout. This is basically to stop people double dipping, to get benefits twice.

The Hon. I.F. EVANS: I just want to check something in relation to clause 24(5)(a)—an 'injury suffered by a participant in a road race'. If I go to Clipsal, for instance, or the rally in the Hills (the Targa rally) and I am a spectator, am I a participant? I just want to get it clear. I am assuming it is only those people who are in the car that are participants, even if I pay for entry. What happens if I am a steward at the event guiding traffic? Am I a participant in the road race?

The Hon. J.J. SNELLING: The Motor Vehicles Act describes 'participants' as being only those people who are actually in the vehicle.

Mrs REDMOND: That was the question that I was going to ask. Before I go further, Mr Chairman, with your indulgence I will apologise to the member for Elder for suggesting that he was not here and that he was at work. Obviously today is not one of the days he is being paid to work at a law firm in the city and he is indeed in the parliament; so I place on the record my apology to him for having incorrectly asserted that today was one of the days he is working in the law firm that he works at three days a week.

Under clause 24 a 'participant' does include everyone who is in the vehicle. So the result would be that if you are standing at the edge of Magill Road and the WRX has come down, and they are doing dreadful things that we all know they should not be doing, and they are catastrophically injured, they get the benefit of the scheme; but if you happen to be the innocent person standing on the footpath you are not going to get the benefit of the scheme even if you are there keeping time for their race?

The Hon. J.J. SNELLING: We do not want drivers injured in the Clipsal to come under the scheme; that is not what the scheme is about. The road race provisions are to exclude people—people who are participating in illegal road races are not in road races for the purpose of this provision, and they come under the coverage of the act. Road races under the Motor Vehicles Act

are designated road races, like the Clipsal, like the rally, like Adelaide International Raceway, like Virginia Speedway.

Mrs REDMOND: If you are in the car you are covered, and if you pay to go and watch it you are not?

The Hon. J.J. SNELLING: No, you are not covered. If you are a participant in a road race you are not covered. If you are a driver in the Clipsal and you are permanently injured you are not covered under this scheme; it is not the purpose of the scheme.

Clause passed.

Clause 25.

The Hon. I.F. EVANS: I just seek clarification as to what the difference is between clause 25(1)(b)(ii), which provides that an insurer can apply under a policy of insurance, and clause 6(3), which is about buying in and where it says that an insurer cannot apply. I am just a bit confused as to what the difference is.

The Hon. J.J. Snelling interjecting:

The Hon. I.F. EVANS: Clause 25(1)(b)(ii) and 6(3). Clause 6(3) provides that:

An application made for a person to become a participant in the scheme in respect of a pre-commencement injury cannot be made by an insurer.

Clause 25(1)(b)(ii) provides that an insurer can apply. I just seek an explanation as to the difference.

The Hon. J.J. SNELLING: The earlier clause 6 is to prevent an insurer forcing a person to buy into the scheme. That is what the provision is for, to prevent that from happening. An insurer cannot force a person to buy into the scheme. Clause 25 is post commencement and it is to enable applications to be made into the scheme. It governs who can make an application into the scheme, and that can be either the person themselves or the person with authority to act on their behalf, an insurer or the nominal defendant. So they are the three bodies that can make an application to be in the scheme.

The Hon. I.F. EVANS: Clause 25(6)(b) sets out a provision that allows the authority, through the LSS rules, to demand certain reports and medical information from applicants. If they are accepted into the scheme, do they get their costs reimbursed or are all costs in regard to the application not reimbursable?

The Hon. J.J. SNELLING: We do not expect that the insurer would be reimbursed. The insurer in this case will always be MAC. As long as we have our current rules governing compulsory third-party insurance, MAC is the insurer. We would not envisage that MAC would be reimbursed. If MAC was making an application for someone to go into the catastrophic scheme, MAC would pick up the costs of the reports, and so on. But the main thing is those costs would not be borne by the individual.

The Hon. I.F. EVANS: Does that not assume that the person is injured in a car that is registered, to be covered by MAC? If an individual is driving an unregistered vehicle and therefore not covered by MAC, does it not mean that the individual has to apply, and will the individual get reimbursed his or her medical costs?

The Hon. J.J. SNELLING: Even in cases where there is an unregistered vehicle, at the moment MAC does cover those people. There is a provision through MAC being the Nominal Defendant for MAC to cover people injured in unregistered vehicles.

The Hon. I.F. EVANS: So I am clear, under this new scheme it does not matter how you become catastrophically injured. The costs of the medical reports required by the authority for me to apply to go into the scheme are going to be met by MAC under any circumstance—except for those who have applications for pre-commitment injuries, but from when the scheme is established onwards?

The Hon. J.J. SNELLING: Where it is the case that it is the individual who is making the application, the authority would pay: where it is MAC, or the Nominal Defendant, MAC would pay.

The Hon. I.F. EVANS: Now I am totally confused. Under what circumstances would an individual apply where they would not be covered by MAC or the Nominal Defendant?

The Hon. J.J. SNELLING: Where there is no third party involved.

Clause passed.

Clause 26.

Mrs REDMOND: This is the clause that deals with the provision of lifetime participant or interim participant, and I would suggest that a proper reading of these eleven subclauses in fact suggests the opposite of what the minister said in response to the earlier questions from the member for Davenport where it was suggested that the interim period would be a determined period. My suggestion is that this clause only makes sense if read on the basis that you are simply accepted on an interim basis—no predetermined period, so no need to renew the interim acceptance, or anything like that: you are simply accepted on an interim basis, not for a period.

If you read the clause that way it makes sense but, if you read the clause as saying (although it does not say it) that the interim period will be for a defined period set for each case when they are applying, I suggest that the clause then creates difficulties of not addressing the issue of what if they still have not stabilised at the end of the interim period, and so on. So I would invite the minister to reconsider the earlier answer about the time period.

The Hon. J.J. SNELLING: My advice is that it comes down to what the rules provide for with regard to interim participation. The rules may say that a decision about lifetime participation shall be made after three years participation in the scheme, but they could then say that after three years there could be a provision for them to be extended for a further two years or, indeed, the rules could say that a decision will be made once the injuries have stabilised. So, really, there is scope provided for under this clause to give a fair bit of flexibility with regard to how the rules are governed.

Mrs REDMOND: Again, minister, I respectfully suggest that that is not the way this is drafted. If you look, for instance, at subclause (4):

A person accepted as an interim participant must be accepted as a lifetime participant if the Authority becomes satisfied during the person's interim participation in the Scheme that the person is eligible for lifetime participation...

As I said, this clause only makes sense if read as 'interim' being an undefined but not permanent period.

The Hon. J.J. SNELLING: No; all this provision provides for is an earlier decision to be made. So, if someone is made an interim participant for a certain period of time (three years) and in that period of time the authority is satisfied that the person is eligible for lifetime participation in the scheme then they will be accepted as a lifetime participant. There is nothing there that precludes a period of time being established for a person's temporary participation.

The Hon. I.F. EVANS: Clause 26(6) states that:

...a decision as to whether an interim participant should be accepted as a lifetime participant should be made at an appropriate time after the person's injury has stabilised, as determined in accordance with the LSS Rules.

So, subclause (6) depends on the injury becoming stabilised. Is the question about whether my injury is stabilised appealable? In other words, the authority says to me, 'I think your condition is stabilised. We are now going to make you make a decision', and I say, 'My medical advice is that I don't think it is stabilised.' Can I appeal that somewhere?

The Hon. J.J. SNELLING: You certainly can appeal to a ruling that you be excluded from the scheme, and you may very well do that on the basis of whether or not your injury has stabilised. The answer is yes, but the appeal would be not on the basis of whether it stabilised; the appeal would be having been excluded from the scheme.

The Hon. I.F. EVANS: Yes, but they are two different questions, though, aren't they? One question is whether my medical condition has stabilised and the other question is should I be accepted into the scheme as a permanent member? Those two questions are two different legal and two different medical questions. You have given me an answer that the second question is appealable. What I am asking you is: is the first question appealable? If the authorities say that they think the injury has stabilised, now is the time to consider the question about your permanent entry into the scheme. Can I contest the question about my injury being stabilised before I go through all the costs and bother of having to make the application about whether I should be a lifetime participant?

The Hon. J.J. SNELLING: No, you couldn't appeal a decision of whether or not your injuries had stabilised but, until a decision had been taken to exclude you from the scheme, you would still be receiving care and support under the scheme.

The Hon. I.F. EVANS: But only for the period to which the rules allow it. If I am an interim participant for three years and at the end of three years my condition has not stabilised, my temporary participation ceases because the rules say at the end of three years I am out.

The Hon. J.J. SNELLING: You are on the scheme. You are assessed as to whether or not your injuries have stabilised. If a decision is taken that your injuries have not stabilised, you are going to remain on the scheme. If your injuries have not stabilised, you are going to remain on the scheme. Having got on the scheme, whether it be on a permanent or temporary basis, an assessment having been made that your injuries have not stabilised, you are going to remain on that scheme. You are not going to be excluded, so there would be no reason why you would appeal because what are you appealing against? You are on the scheme. There would be no reason why you would want to appeal.

The Hon. I.F. EVANS: Subclause (7) says that the rules may provide that a person will cease to be an interim participant if he or she has not been accepted as a lifetime participant within the period prescribed by the rules. So, the rules are going to say that, if you are an interim participant and you have not become a lifetime participant by X, whatever that is—we do not know; we have not seen the rules—the rules have the capacity to put a time limit on it.

Let's say that it is six years. At the six-year mark, my time is up as an interim participant, but my injury has not stabilised, in my opinion. What happens to me? Under subclause (8), it allows me to go onto the scheme as a lifetime participant, but it does not allow me to leave the scheme and come back in as another interim participant. I am questioning: who decides that my medical condition has stabilised—in whose view is that, and it is under the LSS rules—and then is that appealable?

The Hon. J.J. SNELLING: At the end of the interim period, your injuries are going to be assessed, whether or not they have stabilised, and then one of three decisions is going to be made. If your injuries have indeed stabilised, a decision will be made whether to put you onto lifetime care or, alternatively, exclude you from the scheme; one of those two things. If you are excluded, you can appeal. If your injuries have not stabilised, your temporary participation on the scheme is going to be extended; you are going to continue receiving care.

The Hon. I.F. EVANS: Which subclause allows it to be extended?

The Hon. J.J. SNELLING: The rules will allow it to be extended.

Mrs REDMOND: I wonder whether the minister can explain the purpose of extending the limitation for three years, under subclause (11) of clause 26.

The Hon. J.J. SNELLING: Under the statute of limitations, you have only three years. If a person is excluded from the scheme, what this enables you to do is to then go back and litigate your common law rights for damages and for care, and that may well be more than three years after the injury. So, we need to provide for an extension of the statute of limitations to enable those people to pursue common law actions in those circumstances.

Clause passed.

Clause 27.

The Hon. I.F. EVANS: I just want to get on the record 27(1)—'The Authority is to pay for all the necessary and reasonable expenses'. Necessary and reasonable are in the authority's view and I just want to make sure that there is a capacity to appeal what is necessary and what is reasonable.

The Hon. J.J. SNELLING: It would be provided in clause 38 of the bill.

Mrs REDMOND: I too wanted to ask a question or two about this provision in subsection (1) and indeed (2). Both times there is a reference to 'necessary and reasonable expenses'. Now, there are many circumstances where an expense might be necessary, but there can also be circumstances where an expense might be reasonable but not necessary, and it seems to me that there is a great risk that the authority could preclude people from receiving what might be reasonable expenses because they are not deemed to be both necessary and reasonable, and I wonder whether any thought was given to make it necessary or reasonable.

The Hon. J.J. SNELLING: The expenses have got to be necessary. The authority does not just pay for anything purely on the basis that the expense is reasonable. It has got to be necessary for the appropriate care of that person. The authority's job is not to pay for frivolities. It is there to provide for what is necessary for the care of that person.

Mrs REDMOND: That is the point. I am not suggesting the authority should be paying for frivolities. Frivolities are not reasonable. There are many things, however, which are reasonable whilst not being necessary. To go back to my example of the super-duper wheelchair, it may be a perfectly reasonable thing because the person wants to participate in wheelchair sports or whatever it might be, but it is not necessary.

I have a great concern about the ability of the authority to restrict people from receiving reimbursement of moneys which would be absolutely reasonable in the eyes of anyone in the community but, unless they are necessary and reasonable—and necessary of course is not defined anywhere but can be very limiting—I think there is a great risk that this could be used adversely against participants in the scheme.

The Hon. J.J. SNELLING: This is a provision that applies in New South Wales. Our advice from New South Wales is that this provision is not used in an overly restrictive way. I do not agree with the member for Heysen. I think necessary and reasonable is quite a reasonable provision to ensure that the expenses that are incurred by the authority are the things that are necessary for the care of that person.

Mrs REDMOND: With respect then, Minister, why not just put 'necessary'? We will move on, perhaps. Obviously the minister has not had the experiences I have had in WorkCover claims, for instance. Does the minister contemplate that these necessary and reasonable expenses, particularly under subclause (2), will require prior approval before being incurred, before they will be deemed appropriate, given the terms say, 'the assessed treatment, care and support needs'? Is it going to be necessary for someone who is on the scheme to get prior approval to say, 'Yes, this is necessary and reasonable. Yes, we will pay these,' before they incur the costs or is it going to be a post-incurring of the cost issue?

The Hon. J.J. SNELLING: It would be a plan for the care of that person, and that plan would set out the necessary and reasonable care items or services that that person requires.

Clause passed.

Clause 28.

The Hon. I.F. EVANS: This is the clause that deals with services provided on a gratuitous basis, so by members of the family or volunteers. Can the minister walk me through how he envisages this clause working?

The Hon. J.J. SNELLING: Subclause (1) basically sets out circumstances where the authority is not required to pay for certain services. They are services that are provided on a gratuitous basis and, in paragraph (1)(b), in the case of a child, the treatment, care or support of that child that would ordinarily fall within the costs of raising a child (which I know, in my case, can be very expensive).

Paragraph (1)(c) provides another example: care, support or services required to be provided by an approved provider but that is provided by a person who is not, at the time of provision, an approved provider. Paragraph (1)(d) provides for any treatment, care, support or services that is provided in contravention of the rules. Those are the circumstances where there is no obligation on the authority to pay.

Subclause (2) provides, notwithstanding what is contained in subclause (1), that the authority, under the rules (which are in subclause (3)), may elect to make provision in those circumstances. Subclause (4) is a qualification on paragraph (1)(c) for a medical practitioner or another person provided for under the rules. Subclause (5), again, just deals with that, and subclause (6) provides:

The Authority is not required to pay for any treatment, care, support or services provided to a person while the person's participation in the Scheme is suspended.

Subclause (7) just provides for a definition of the 'ordinary costs of raising a child'. In terms of clause 28, it provides for circumstances where the authority is not required to pay but nonetheless provides, under the rules, for provision to be made for the authority to have exceptions to that.

The Hon. I.F. EVANS: If I understand it correctly then, if I am a neighbour of someone who is a participant in the scheme and I want to offer a gratuitous service to them by going in and providing cleaning or whatever, I make application to the authority and say, 'I am happy to provide this service; what are you going to pay me?', and then they will decide whether or not they want to make a payment.

The Hon. J.J. SNELLING: My wife cleaning the house, generally speaking she is not going to be paid for that by the authority.

The Hon. I.F. EVANS: No, the extra cost, if there is a service. Sorry, cleaning might have been a bad example. If there is an extra service that is required because of the injury, then if I was going to provide that on a volunteer basis, or a discount basis, I would have to go to the authority to seek approval to receive any payment and they could advise me what it may or may not be.

The Hon. J.J. SNELLING: Generally speaking, if I am catastrophically injured and my wife is participating in my care, she is not going to receive payment for it. There may be circumstances where under the rules the authority decides to do that, but generally speaking no, under those circumstances she is not going to be paid.

The Hon. I.F. EVANS: If my wife provides a certain level of care today when I am able bodied, and tonight I have an accident and become participant in the scheme and my wife has to provide a higher level of service to meet my medical and living needs, where does it say in here that she cannot apply to the authority and seek payment for that extra care—not the level of care she is providing me before the accident, but the extra care over and above that?

The Hon. J.J. SNELLING: Generally speaking, it is not envisaged that in those circumstances your wife is going to be paid for the extra help she has to give you because you are catastrophically injured. Bear in mind that there will also be paid carers coming in and assisting you. The reason for the ability to make an exception to that is there may be circumstances where you live in a remote area and the normal paid services to assist you are not able to be accessed. The authority may well then decide that in those circumstances, because what your wife is doing is over and above what would normally be expected, she may well be paid. But generally speaking, in relation to a catastrophic injury what this clause does is provide that the authority has no obligation to pay for those gratuitous services that you would expect from a family member.

Mrs REDMOND: Minister, a particular case that I dealt with many years ago springs to mind, where a 31-year-old man became a high quad, so almost tetraplegic. He had been married three weeks. He needed care that had to be assessed on the basis of 26 hours a day for the rest of his life, because he was a large man and it took two people, even with a lifter, to get him out of bed in the morning and get him back into bed at night. It was one of the biggest personal injury claims the state had seen.

What you are saying is that that wife—who as it happens I think is still with that particular man; she said she married him for better or for worse and she certainly got the raw end of the deal—gets nothing, but if she were to choose to do nothing for him, under the scheme, as a catastrophically injured participant, had he been in a motor vehicle accident (that did not happen to this particular person), the authority would pay out at full rate for carers for 26 hours a day for the rest of his life, but will not give any recompense to a wife who looks after him. He needed care literally every five minutes, because he had no capacity to do anything for himself.

The Hon. J.J. SNELLING: Generally speaking, the authority in that circumstance would pay for the 24-hour care of that person. That is generally what is going to happen. What this section provides for is that the wife cannot demand that she be paid for the services she is providing. There may be circumstances where the authority may decide, for whatever reason, to pay the wife but, as a general rule, no, those services for the lifetime care and support of that injured person are going to be provided by the authority using paid employees or presumably paid contractors.

Mrs REDMOND: Related to that issue, and perhaps I will get you to ask your advisers: there is a concept in damages known as Beck v Farrelly damages which was specifically about this issue of gratuitous services. Does the effect of this section have any effect on the provision of Beck v Farrelly damages? I understand that we are dealing with the treatment and care, but there is a separate ability to go and pursue economic loss claims and all that sort of aspect under the Motor Vehicles Act. Are Beck v Farrelly damages going to be available at all in light of this section?

The Hon. J.J. SNELLING: It is not in this section: it is section 58. It is in schedule 2. In the cases of people who are catastrophically injured and are accepted under the scheme, yes, you are correct: those damages are excluded. If you are accepted under the scheme and you have lifetime care, you are not able to pursue damages under that head of damages; that is correct.

The Hon. I.F. EVANS: Under 28(6) it talks about a person's participation in the scheme being suspended. Under what circumstances can a person be suspended? Is it appealable? Which clause in the bill gives the authority the power to suspend?

The Hon. J.J. SNELLING: There are two provisions for suspension; one is clause 32, which provides for the requirements under the rules. For example, persons may be suspended if they fail to comply with the requirement in connection with an assessment of the treatment, care and support needs of the person. Subclause 32(e) provides for suspension in certain circumstances. There is also another clause 58 which provides for someone overseas.

Progress reported; committee to sit again.

At 19:00 the house adjourned until Thursday 21 March 2013 at 10:30.