HOUSE OF ASSEMBLY

Tuesday 4 June 2013

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

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

CLERK, ABSENCE

The SPEAKER: I inform the house that, during the absence of the Clerk, who is attending to twinning duties in Tonga, the Deputy Clerk will perform the duties of Clerk pursuant to standing order 24. The Clerk Assistant and Serjeant-at-Arms will perform the duties of the Deputy Clerk pursuant to standing order 25.

WHEAT MARKETING (EXPIRY) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 15 May 2013.)

Mr PEDERICK (Hammond) (11:03): It is with great pleasure that I rise to speak to the Wheat Marketing (Expiry) Amendment Bill 2013. I am a bit concerned about some of the direction that was taken to get to this path, but I am very pleased with the final outcome. I note, Mr Speaker, that I am the lead speaker on this bill. It has been a slightly tortuous process, but I think we have come to the best outcome that we can, with all the circumstances that have arisen along the way.

I note that in the other place, on 2 May 2013, minister Gago introduced this bill, the Wheat Marketing (Expiry) Amendment Bill 2013, and the whole purpose of this bill is to seek to repeal the Wheat Marketing Act 1989. Our understanding is that repealing the Wheat Marketing Act will not impact on the South Australian Grains Industry Trust, as it can stand alone with its own new funding arrangements, and there is no reason to retain the Wheat Marketing Act in order to collect contributions to the SAGIT fund. Repealing the Wheat Marketing Act will not impact on the collection of the voluntary contributions for grain research and development.

The Primary Industry Funding Schemes Act 1998 (PIFS Act) currently provides mechanisms for these voluntary contributions. Grain industry stakeholders have agreed to the collection of contributions moving from the Wheat Marketing Act to the primary industry funding scheme. I understand that the government proposes to repeal the Wheat Marketing Act on the day the PIFS Act grains research scheme commences to avoid any interruption to the collection of contributions or the operations of the South Australian Grain Industry Trust.

I note that our shadow minister in the other place, the Hon. David Ridgway, has consulted with Malcolm Buckby, a former member of this place, who now runs a business called Rural Services. Malcolm Buckby advised David that the South Australian Grain Industry Trust supports the bill, and the bill is seen as part of the transition of the South Australian Farmers Federation to Primary Producers South Australia. I note that Grain Producers South Australia (GPSA) also supports the bill after the somewhat arduous and tortuous process at times to get to this place.

Part of the repealing of this act obviously has to do with the Australian Wheat Board, which is no longer a government body but privately run, and I will give a bit of history of AWB Limited. AWB Limited was a major grain marketing organisation, and it was a government body known as the Australian Wheat Board until 1 July 1999. That was when the AWB morphed into a private company owned by wheat growers. In 2010, AWB was acquired by the Canadian firm Agrium, and in 2011 the company changed its name to Agrium Asia Pacific Limited.

I note that the AWB exports into more than 50 countries, with Australian exports worth up to $5 billion per year. This is taken from figures supplied by the AWB in 2006. As the farmers certainly on this side of the house would be aware, the AWB had veto power over any other prospective exporters of wheat, which effectively eliminated competition on the export market for Australian wheat, thereby capturing freight differentials. This was known as the single desk. There was much debate about the removal of the single desk, but it has happened and we must move on. The exports are typically managed through commodity pools, and the beneficial interest in the export grain is distributed to participants or the farmers who take part in that commodity pool.

To give a bit of background history of the Australian Wheat Board, it was founded in the late 1930s to regulate the wheat market after the excesses of the Great Depression. This refers back to when the single desk was created, and it dates back to this period. This arrangement was not unique to Australia, as there was a similar arrangement in Canada, where the Canadian Wheat Board was created in 1935 in a similar fashion.

For much of its early history the AWB was a government run and owned company. As indicated earlier, from July 1999 its board was restructured into a private company. It offered A-class shares to those who met its definition of growers and who had the ability to elect the majority of its board and chairpersons, and from August 2001 class B shares were publicly traded on the Australian Stock Exchange. In 2008, constitutional amendments were passed and, despite resistance from several wheat lobbies and industry groups, it consolidated ownership of AWB into one type of share, giving growers no special consideration.

This change was proposed by the AWB management as necessary to have a simpler and lower-risk business model. Since the AWB has been privatised, it has grown to incorporate a number of subsidiaries to diversify its income away from its wheat exports. Those businesses include GrainFlow, to manage collection of grain, companies to ship the grain overseas to customers, and Landmark rural services. By its own estimation, AWB classes itself as a grower-owned and controlled company.

It is interesting to note, we have also seen the barley board deregulated over the last decade or so, and there were certainly different opinions in line with that. It is also interesting to note that the South Australian Cooperative Bulk Handling went to AusBulk, it then went to the Australian Barley Board, with ownership of not just the single desk but the assets—about 111 sites in South Australia to receive grain—a Canadian company then purchased the company, that being Viterra, and now we see a Swiss-based company, Glencore, a multinational, take over Viterra but still keeping the Viterra branding. So, things have moved on significantly in the grains industry in this state, especially in the last decade.

I want to go over a bit more history with regard to the Wheat Marketing Act 1989. It has become, essentially, largely redundant legislation. The commonwealth parliament in December 2012 passed legislation which has abolished the wheat exporter accreditation scheme, effectively fully deregulating bulk wheat exports. The only useful purpose for the Wheat Marketing Act 1989 is to provide the head of power authorising the collection of voluntary contributions for the grains research fund, administered by the South Australian Grain Industry Trust. The grains industry fund, also established under the Wheat Marketing Act 1989, which was the SAFF Grains Section Fund, has been replaced by a new fund established under the Primary Industry Funding Schemes Act 1998.

Prior to August 2011, the contribution rate in the early days was originally 2¢ per tonne when it was established in 1989, this is the SAFF fund I am talking about, and this rate was increased to 5¢ sometime before 2008. The South Australian Farmers Federation grains committee, under elected chairman Michael Schaefer, did not want the rate increased above 5¢ from 2008 until the group and the levy was autonomous from the South Australian Farmers Federation board control.

In February 2011, the SAFF grains committee commissioned a survey of South Australian grain growers which found strong support for a levy-based system to fund advocacy. It also found that the majority of fund contributors (grain growers) wanted to vote for the committee to represent them. However, they were not all members of the South Australian Farmers Federation. In September 2011, a grower meeting was held in Adelaide to discuss the way the 5¢ levy was administered by SAFF.

The meeting was arranged by the current SAFF grains committee and previous chairs of the committee. I note Michael O'Brien called them 'the luminaries' and there was a photo on the front of the *Stock Journal*. These included such luminaries as Malcolm Sargent, Tom Saint, Michael Schaefer, Greg Schulz, Jeff Arney, John Lush, James Rackham, Jamie Smith, Andrew Inglis and our own Peter Treloar, the member for Flinders. The meeting resolved to establish an autonomous grains body to represent all South Australian producers and to look to work under the SAFF banner whilst representing all fund contributors, not just SAFF members. A steering committee of John Lush, Jeff Arney, Jamie Smith and Darren Arney was formed to explore establishing an autonomous South Australian grains group.

In September 2011, a survey of growers was conducted in South Australia, and this went out to around 5,000 farmers with a return rate of 1,100. In that survey, there was 87 per cent support for the proposal put up by Grain Producers South Australia. In October 2011, Grain Producers South Australia and the South Australian Farmers Federation reached an in-principle agreement for GPSA, as an autonomous body, to manage the Wheat Marketing Act 5¢ funds (the levy funds) and to pay some of those funds to SAFF for a seat on the SAFF board.

This agreement was reconfirmed at a meeting in Parliament House the following week with Minister O'Brien who was the agriculture minister at the time, but subsequently SAFF walked away from this agreement. During this time, the SAFF grains committee continued to function; however, relationships between the committee and the board (and GPSA and the SAFF board) were strained, to say the least. Wheat Marketing Act funds from PIRSA to SAFF were quarantined.

Around that time in October 2011, Grain Growers Limited (a national body) did a deal with the South Australian Farmers Federation to access SAFF database and, in return, SAFF would get a seat at the National Farmers Federation through Grain Growers Limited. GGL wrote to SAFF database making them members of GGL, unless they opted out by writing back. It was noted that there was no communication between Grain Growers Limited and Grain Producers South Australia.

On 22 December 2011, Grain Producers SA Ltd was incorporated and funding for Grain Producers South Australia activities were sourced from loans from some grain producers and Darren Arney himself, who is the executive officer. Just for the record, Darren Arney was my agronomist in a former life when I was managing the farm.

In February 2012, the SAFF grains committee was sacked and replaced with a grains management committee. In March 2012, the Primary Industry Funding Schemes (grains) was introduced, with a contribution rate set at 5¢ per tonne and the Wheat Marketing Act SAFF levy rate set to zero, so we did not have double dipping. The minister, as was her discretion at the time, wound the rate back to zero.

The AGM for Grain Producers South Australia was held in that same month. I was very pleased to speak at that annual general meeting, with Garry Hansen being elected as chairman—and to declare my interest, Garry Hansen is a very good operator and is my next-door neighbour at Coomandook. The board comprised members such as Max Wilksch, Malcolm Sargent, Gary Flohr, Jamie Smith, Brett Roberts and Mark Schilling.

In May 2012, minister Gago instructed SAFF to share equally the Wheat Marketing Act funds held by PIRSA and in SAFF, which at that time were around $660,000 between GPSA and SAFF. Loans to Darren Arney were repaid and outstanding amounts owed to the SAFF grains committee and the GPSA steering committee were paid from the GPSA share.

In May/June 2012, there was consultation by Primary Industry and Resources South Australia around the primary industry funding scheme grain management plan. This was conducted by Neil Howells, with six meetings around the state. I attended one of those meetings at Karoonda and there was an online survey with input sought from all industry stakeholders, including the Grains Industry Association South Australia.

In September 2012, the GPSA survey of growers around priority projects was conducted and the survey also asked about support for a levy-based collection system and the contribution rate. There were 224 respondents with very strong support for all growers to contribute to advocacy and the contribution rate to be set at an average of 22¢. I did see the result of this survey and it was interesting to note that some growers wanted that rate set as high as $1 per tonne to make sure that grain growers had the right funding coming in to advocate for the grains industry.

As part of the PIFS plan there has to be a management plan and that was released by minister Gago in October 2012. In November 2012, the contribution rate for this scheme was increased to 20¢ per tonne and it was implemented for the 2012-13 harvest.

In April 2013, the South Australian Farmers Federation forwarded the Wheat Marketing Act funds to Grain Producers South Australia on the day of the SAFF general meeting. GPSA had been invoicing SAFF on a monthly basis from October 2012 for work carried out on behalf of grain growers. In May 2013, the application for projects was called for and GPSA's application for funds was submitted, and there is an anticipated drawdown of funds in July 2013.

A bit of other history in regard to part of the events leading to this day: in April 2013, the South Australian Grain Industry Trust trust deed was varied by SAFF, GPSA and the government

to have GPSA as the appointees of the grower trustees. In line with that, David Shannon was appointed trustee to SAGIT in May 2013, and Tanya Morgan, one of my constituents from the Mallee, was appointed as a specialist adviser.

Going back a little earlier on in the history of this arrangement, in early 2012, the South Australian Farmers Federation hired consultant Rob Kerin, ex-premier from this place, to head a review of the SAFF. In the SAFF August 2012 AGM, they moved to look at changes to the SAFF constitution, and Roger Farley was elected the new president of the South Australian Farmers Federation. At that stage, SAFF was supportive of commodity groups including Grain Producers SA, and Garry Hansen was elected chair of the SAFF grains committee.

On 29 April 2013, the SAFF general meeting resolved to change the constitution to become a commodity member organisation and changed its name to Primary Producers South Australia. Grain Producers South Australia is a member of Primary Producers South Australia. I will comment more on this later, but this is a landmark moment for South Australia, especially South Australian producers, not only of grain but also livestock, horticulture and all commodities grown on primary production properties in this state. In order for the South Australian Grain Industry Trust to keep getting funding, it will not come from the Wheat Marketing Act but from the Primary Industry Funding Schemes grain research fund.

Wheat Marketing Act funds have been used over time by the SAFF grains committee and Grain Producers SA to fund advocacy and projects, and I will go through a list of projects, which include: natural resource management; impact of carbon pricing and carbon farming; South Australian Barley Advisory Committee; Grain Stewardship Program; occupational health, safety and wellbeing; education and training; young farmers and the future; Communication and Grower Consultation Framework; fees for affiliation of relevant industry bodies; grain freight and logistics plan; grain receival standards and quality control; review market information availability; review and evaluation of grain marketing products; increased competition in grain markets in South Australia; improved access and efficiency of port facilities; pollination of broadacre crops, which is becoming a more and more serious question; Thevenard port terminal access; promotion of agriculture to customers and community; pre and post harvest technical forums; biosecurity; farm machinery code of practice update; and dissemination of project outcomes to fund contributors. This is just part of the list of actions that have been taken from this fund.

I am pleased to say that some of these proposals and this work are a result of suggestions from the Select Committee on the Grain Handling Industry (which I was a member of), as well as the establishment of the wheat export task force, and the new mandatory code for port access, which is being worked through. I just want to note material that comes from a GPSA press release about when David Shannon was appointed as a new SAGIT trustee, and the South Australian Grain Industry Trust chairman Jim Heaslip welcomed the appointment of David Shannon as a new trustee to the SAGIT. I note that Mr Shannon is a sheep and grain farmer at Kapunda in South Australia and, as the member for Schubert said, one of his constituents—also at Marrawah—in Tasmania, with extensive experience in the agricultural industry. He has a long history of industry representation, including as Southern Region Panel chairman of the Grains Research and Development Corporation for nine years and Southern Region Panel member for an additional 10 years. I quote from Mr Heaslip:

> David has contributed significantly to grains research and development over many years and we welcome his experience and knowledge to the SAGIT trust.

The Chairman of Grain Producers South Australia Limited made the comment that they were fortunate to have such committed and progressive grain farmers in South Australia, that are prepared to foster research and development in the grains industry. Mr Shannon joins the other trustees at SAGIT, Jim Heaslip, Chairman, Michael Treloar and Linda Eldredge.

I note that Mr Shannon was selected following a public advertisement placed in the *Stock Journal* in March this year. The selection panel comprised members of SAGIT and GPSA, who interviewed some exceptional candidates for the position. As part of the modernisation of SAGIT, the selection committee recognised the particular skills set of Tanya Morgan and have appointed her to the trust as a special adviser. Ms Morgan is currently a member of the SAGIT Project Management Committee.

This grain trust is currently funding about $1.4 million worth of research in South Australia per year, conducted locally in South Australia on South Australian grains issues. Since its inception, the South Australian Grain Industry Trust has invested more than $17 million on

research on behalf of South Australian farmers, and this is further augmented by leveraging funds from the GRDC, the Australian Research Council, governments, and private sources, which effectively more than doubles the SAGIT investment.

I note, for the record, that this demonstrates how closely, under the new model, Grain Producers South Australia and the Grain Industry Trust are working together; both the Chairman of SAGIT and Mr Hansen from Grain Producers South Australia have welcomed the appointment. I think that certainly shows how the grain industry is moving forward. It will be very supportive of the repeal of this act.

In closing, I will make a few comments about how we got to where we are today. There have been some tumultuous times in farming advocacy, especially in the last two to three years. Obviously there have been differences of opinion between the SAFF board and the SAFF grain committee that caused a lot of duress and, sadly, I think this brought about the ultimate end of the South Australian Farmers Federation.

I was heavily involved, and not just as a local member. At the time I was the shadow minister for agriculture, working opposite minister Gago and offering support to the minister to make sure that this mess was fixed—because it needed to be fixed. We need an advocacy group in South Australia but, sadly, with the dysfunctionality with regard to what was happening internally in SAFF it was, quite frankly, just a disaster.

Years before this people were leaving the membership of SAFF in droves, and when the question was asked of the former chair Peter White or Carol Vincent, the former chief executive officer, it was always very hard to answer what the true number of members were in the SAFF. In fact, I believe that when that question was asked in a senate committee the answer was refused. You have to ask questions as to why that happened, but I think that just exemplified some of the frustrations that people had with what was happening at SAFF. I know there are always two sides to an argument—sometimes there are three, and sometimes there are more than that—but it was quite dysfunctional.

I must commend the work done by Rob Kerin to get this moving ahead. I would also like to commend Roger Farley, who knew he would go down in history as the last president of the South Australian Farmers Federation, but he also knew he had a job to do to transform the advocacy group into a new group.

Along the way, there were different people saying, 'There is another way that it can be done; there are other structures that can be put in place', but structuring the funding of commodities under the Primary Industry Funding Scheme was the one that—I think there were only two votes in it on that day in April, so it was very close to a unanimous decision—the different commodity groups could use, with a voluntary contribution, to help fund advocacy on behalf of those groups.

There have been six groups set up under that scheme, but some, such as the South Australian Dairy Association, are still membership-based groups. It is up to those groups, and they have representatives on the next body up (the Primary Producers Council), which will advocate and is advocating on behalf of farmers on cross-commodity issues, whether they be transport arrangements, access arrangements or other state-based arrangements that will affect farmers as we move ahead.

I would just like to congratulate everyone involved in the process. I would like to congratulate South Australian farmers for making a very, very firm decision on where advocacy goes in this state. For a while there, it was looking as though it would just be left to different commodity groups to do their own thing. I know some of that had happened over time; people in different groups had moved away from the South Australian Farmers Federation, but now I think we will see more people coming back when they see the strength of having an organisation.

I think it is very vital that we have a lobby group or an advocacy group, whether to lobby opposition or government, or to get the message out to the media. Certainly, for those three groups (the media, the government and the opposition), it is far better to contact one organisation than be chasing all over the place to find out who is speaking on behalf of farmers.

I fully commend what happened with the changes, and I think it will set up a plan for farming groups across the country. There are funding problems right across the board, and what has happened here in South Australia could lead to new legislation in other states and new funding arrangements to give farmers' groups a stronger voice. They do need to have a voice, because

sadly a lot of people, for whatever reason, think their food just turns up in the supermarket aisles in Cryovac packs and milk cartons, and they have no idea where it comes from.

I will say that the opposition supports the passing of the Wheat Marketing (Expiry) Amendment Bill, because it is redundant: things have moved on; the wheat board has moved on; and the funding schemes have moved on. I wish the industry as a whole all the best for the future.

Mr VENNING (Schubert) (11:34): I, as always, declare my interest in this debate, as a grain grower. I also want to declare that my brother Max was chairman of AusBulk and then director of Viterra. Indeed, my father was chairman of CBH for many years. This bill predominantly changes the way levies are distributed, but only in name; it is the same. The member for Hammond has very clearly laid out the case, and I will not repeat any of that, but he has done it very well and I congratulate him. It remains a voluntary levy collected at the point of delivery on all grains, particularly wheat, barley, legumes, triticale and the rest.

I support this move as part of the total restructure of the grain industry, and I note that the funds will be distributed equally between SAGIT and Grains Producers SA, the new grain section of Primary Producers SA—the new body. At least half of the old structure remains there, and I pay tribute to SAGIT and to Mr Jim Heaslip, the chairman, and the work they do, because their record stands as proof of their effectiveness. The growers are happy to pay their levies because they can see the results. I pay huge tribute to them. After all, these people are farmers themselves; you cannot get better than that.

I wish GPSA good luck, as it was the old grain section that caused the meltdown in that section that caused the demise of the South Australia Farmers Federation. That was sad indeed because I had a lot of faith in that organisation, even though I had a few rows with them at the finish. I did not want to see them gone, but they have. I hope we have learned from what happened and, whatever the future holds, the growers have to be considered to be the final arbiter of industry-changing decisions.

We heard a quote from the grain section at the time, and I will never forget this. It echoes with me. Farmers were told by the grain section at the time, 'We gave farmers what they needed, not what they wanted.' That was the single reason why the membership crashed overnight. They just felt things were being shoved down their throats by people on committees who were actually on the payroll of grain marketers. It would not stand the light of day. These accusations have been made before but, anyway, that is all history. It is done, but you see where we have ended up now. To GPSA, good luck. I just hope it is all going to happen.

It is sad indeed to realise that the old AWB has now gone as such—this is probably the last time we will mention the AWB in this place—and so has the ABB (Australian Barley Board), which was a solely owned and managed South Australian company, the largest company in South Australia at the finish. It was headquartered here in Adelaide. I do not want to repeat this in any great detail, but this house did not support the retaining of the single desk for barley and that really was the beginning of the end. I will not repeat the names and the places; the member for Hammond has just done that and did it well, as I said.

We now see many grain marketers operating, and I welcome very much the competition in the marketplace. I am pleased that the Western Australian grain co-op, CBH, is coming into South Australia, because farmers are desperate to get together and market cooperatively as they can see what happens when you have a massive company like Glencore, which has now bought Viterra. We have had two changes of hands in a matter of four years.

They are a huge company. Glencore is so big that they can take on major superpowers and win, and they are doing it every day. I note in yesterday's media that they were taking on an iron ore contract with some foreign government, and they have a habit of winning because they are so huge and they are now in control of our marketing in South Australia. I think the co-op, CBH Western Australia—the same as we used to have—is gradually moving in here and I do really welcome them.

This is probably my last bash on this issue and subject in this parliament. I have made many speeches and moved motions on the issues of grain marketing over 23 years, and I have prepared three books with indexes which show quite clearly the warnings I continually gave, but apparently to no avail. The house abolished the bulk handling of barley act with only four MPs in this place supporting me. I proudly name them: the member for MacKillop (Mitch Williams), the member for Goyder (Steven Griffiths), the member for Stuart (the Hon. Graham Gunn), and then member for Flinders (Liz Penfold). All the rest fell away.

I fought and did everything possible to frustrate and barrage. In fact, I consider the cartoon that appeared in the *Stock Journal* as a badge of great honour because you can see there this massive thing is rolling down the hill and I have my hand holding this ball up the hill, but as it eventually got going I got squashed.

I believe we now have the worst results, but I am an old man and some say my opinion is yesterday's: okay, you might be right. I am old and I am retiring but all I can say to these young farmers out there is, 'Been there, done that.' I know what happens in the marketplace. I am probably going to be a grain trader myself when I leave this place because it is easy pickings out there if you have the storage. You pick up the grain when it is cheap and you use the cheap prices to push all the prices down. When you are dealing with a company as big as Glencore not only is it the gatherer of the product but it also stores it and controls the ports as well. How long can this be the case? How long can this go on?

That was a huge advantage for us over all those years as farmers. We all paid tolls and paid for the building of the silos and we also paid for the infrastructure at the ports, and the government did a very tidy deal with us on the ports so that we could control them as well. It was a pretty good outfit, a very good outfit. Neither this body nor the ABB paid tax either so it was really a very good deal. We have turned our back on all this. I am sorry, I might be blinkin' old but I am not exactly stupid—at least I do not think so.

We have this huge body nationally now called Glencore. As I said, it is huge by any standard. Not only is it the major collector and gatherer of grain in South Australia but it is a major international marketer. Being the owner of the silos, worse than that, it also has a monopoly over our grain ports. It has been okay so far but wait until there is an oversupply.

I want to make sure that any other marketer has access to the ports—and do it by legislation—but you have to be careful because there are always ways in which a major owner like Glencore can make it difficult for a third party operator. We have to be very vigilant about that. I think we will probably be revisiting that issue to make sure that it is totally open and transparent. Otherwise, I think we really need a new grain port in South Australia in the Mid North, particularly in the Wallaroo/Tickera area. I have always said that; it is an old hackneyed phrase of mine but we really need to look at that issue, connected with the rail.

Historically the Wheat Board had a huge influence over the South Australian and, indeed, the Australian economy. Governments assisted over the years and there is a lot of history about this. The parliament has served the industry very well. I pay credit to this parliament and the Australian parliament for acts like the Australian Wheat Stabilisation Act which basically guaranteed the prices and then banks could lend money to farmers knowing what the price of the product was going to be.

After what happened during the Depression in the 1930s, this gave the industry huge stability. It was an industry that was built up to what we have today. All power to the government, and all power to those people. The member for Hammond has already named many of those people back through history and I will name a couple of them, particularly Mr Herb Petrus from the Mallee who we used to call Mr Barley. Herb Petrus was Mr Barley. He was a good friend of my father's.

In the wheat industry it was Max Saint from Maitland—Mr Wheat. These guys were legends in South Australia and, of course, people like the Shanahans: Tom Shanahan, Michael Shanahan's father, and Michael himself as well. These people were great leaders in our industry. They would be rolling in their graves to see where we have ended up today. It does upset me.

It is amazing how, over the years, the parliaments have certainly recognised the importance of our industry. Yes, decisions have been made and I will be a member of the GPSA, as soon as I pay the levy (and I probably am already) but I give warning that it is a voluntary levy and if we see any repeat of what happened before I will ask for my money back. However, that would be a last resort and I hope that it will never happen. It is up to all of us to be involved with the process to make sure it does not.

That concerns me a little because as growers—the member for Hammond and the member for Stuart and I—we can now go along to the Grain Producers SA meeting. As growers—all of us—we are entitled to go and to have our say there but there is only one representative who goes from there to the major body, Primary Producers SA—only one. That is a worry, because how do you get your voice heard when there is only one voice to go through?

Previously, we could all go along to the annual general meeting of SAFF, all of us—and they used to be very well attended meetings—and have our say to any grain leader who was there, but that is now going to be denied to us. I say to GPSA and also Primary Industries of South Australia that there should be at least one function a year, open to all members, so we can speak to and look at the board members of the head body across the table and have discussions with them. I cannot see a problem with that at least once a year. There is nothing in the constitution that says we cannot. I think that would be a great move forward.

I am a member of the GPSA and, in retirement particularly, I will be keeping active there as much as possible. Like the member for Hammond, I pay tribute to Mr Jim Heaslip of SAGIT, and also Mr David Shannon, who was my constituent when I had my office in Kapunda. He is from a great family and he is a great leader in agriculture.

I also pay tribute to the Hon. Rob Kerin, who was a graduate of this place—in fact, an ex-premier—who played a major role in getting all this sorted out. One of our new leaders, Mr Hansen, who has been mentioned by the member for Hammond, has been involved with the grain industry for many years and I, certainly, admire him. I think only one of those people from the old grain section remains, and can I say, without naming him, that I think that person is okay. He comes from the Mid North, he is a tidy and good operator, and I have no problem with him being there. I want to put that on the record because I am on record somewhere else saying they all should go. I have no problem with his being there, and we will leave it at that.

We are now fully deregulated, and it is very sad that SAFF has gone. I do not think it needed to go because I believe it was a good body. I would have just rejigged it. I notice the previous minister for agriculture has just sat down. I believe SAFF was an excellent body, with a huge history, and it is sad to see it totally finished now. I believe it is not finished but has just been rebadged, because I notice the constitution remains the same. I was pleased about that because we did not want to rebuild an organisation totally. But it was a good body and I think it could have been reinvigorated.

I really do hope that I can never say, 'I told you so.' As I said earlier, that echoes with me, and all farmers in South Australia, because the old grain section said, 'We gave farmers what they needed, not what they wanted.' I rest my case. Sadly, and very reluctantly, I support this bill.

Mr PEGLER (Mount Gambier) (11:47): I would like to indicate that I will be supporting the Wheat Marketing (Expiry) Amendment Bill. I have spoken to many in the grain-growing industry and there has been overwhelming support for the fact that this bill repeals the Wheat Marketing Act 1989 and replaces it with the Primary Industry Funding Scheme. This scheme basically allows for the collection of voluntary levies and has the support of the industry so I, therefore, support this bill.

Mr TRELOAR (Flinders) (11:48): I, too, would like to make a contribution and I indicate I will be supporting the Wheat Marketing (Expiry) Amendment Bill, and also the fact that I need to declare an interest. For a long time, I was an active wheat grower and am still a registered wheat grower, although I do not have anything to do with the day-to-day operation of my wheat farm on Eyre Peninsula.

I was also involved very much, in the early part of the first decade of the 21st century, in the South Australian Farmers Federation Grain Committee. I spent three years as a member and then, a couple of years after that, took on the role of chairman of that committee. I made a decision during that time not to finish my tenure because I was pre-selected as a candidate for the electorate of Flinders so I thought the only right and proper thing to do was to stand aside from what was essentially a lobby group funded by growers' contributions whose efforts were spent lobbying government.

With those interests declared, I would like to talk about the bill itself—not to dwell so much on the history and what has brought us to this moment because the previous speakers (the members for Hammond and Schubert) have done that admirably, and there is a lot of history leading to this moment.

There have been a number of grower representative organisations operating in this state. It has not just been the South Australian Farmers Federation, although that has been the most recent incarnation. That organisation has effectively wound up as a result of their last annual general meeting and we have a new and invigorated representative body known as Grain Producers South Australia (GPSA). Over the years—over the century, really—there have been a number of bodies. There have been changes in the industry in the past. This is just another change, just another

incarnation of representation for what is a very vibrant and important industry in this state. Of course, I am not just talking about the wheat industry but the grain industry itself.

The agricultural sector makes a significant contribution, as we all know, to this state's export income. The electorate of Flinders, which I am proud to represent, contributes not an insignificant amount to the state's annual grain crop. Often about two million tonnes a year—and occasionally in a good year up to three million tonnes—comes from Eyre Peninsula, going towards a total state crop of somewhere between six and nine million tonnes generally.

The real challenge for our farmers and marketers, and I guess our representative bodies, is to ensure that we are able to place that product onto a world market in a competitive fashion. There is, for the most part, plenty of grain in the world. We are competing on the world stage, we are competing sometimes against producers who have subsidies and support from their governments that we do not have in this state. I am certainly not an advocate of subsidies. I just think it is important that we recognise some of our competitors are recipients of such things and we do not always operate on a level playing field. I suspect that we may never do that. Often it is more about fair trade rather than free trade, but that is probably a discussion for another day.

As I said, there have been many changes over the years. The expiry of this bill actually finalises an act that has been in place since 1991 and it was really in place amongst other things but its prime role was to raise levy funds to fund two bodies in particular. One was the South Australian Grain Industry Trust, which is responsible for allocating funds for research, and that is an important part. No industry can stay at the forefront, particularly in a competitive world, unless that research has been done.

South Australia has a long history of having very good research done in agriculture in the grain industry and for a good part of our history we have been at the very forefront, a world leader, in that research and development. SAGIT continues to put growers' funds into research and growers recognise the importance of that research. I think growers also recognise the importance but do not always see the extension of that research into the field. Once again, that is a discussion for another day.

The South Australian Grain Industry Trust continues. In fact, a new board member has been appointed recently in Mr David Shannon from Kapunda, a former Nuffield scholar and colleague of mine. Also my younger brother Michael has taken a role; Michael, whom the former minister for agriculture had a quick chat with in the field on Eyre Peninsula one day, along with—

The Hon. P. Caica: A good bloke.

Mr TRELOAR: —the leader group. I agree absolutely. They are all good blokes and they do a wonderful job. As well as the SAGIT levy, the levy was taken from growers and contributed by growers for the South Australian Farmers Federation Grains Committee. That was an active committee and very important in lobbying government. It was very active during a time of great change within the wheat industry when the single desk arrangements were being wound up.

We have heard the member for Schubert speak on that today and I know that he has been very passionate about it over a long period of time and has great corporate knowledge, not just going back through his long and illustrious public and farming career but also his father's. He brings that corporate knowledge to this place, and it is with dismay that he watches what is happening. I assure the member for Schubert that we can only move forward from here. We have reached a point where the industry and the representatives of that industry take on a different role, are reinvigorated and are part of representing a vibrant industry.

So the single desk arrangements for both wheat and barley—wheat nationally and barley in this state—were wound up. We saw changes in the structure of our corporate entities. The AWD, or the old Australian Wheat Board, became the AWB, issued shares and growers became shareholders. Everyone realised that that could have implications for the ownership of such a company. Probably nobody realised or suspected how quickly those changes would take place, but in fact many growers chose to divest themselves of their allocated shares. I cannot be critical of that either, because in many ways the allocation and corporatisation of those entities realised a lot of invested capital, realised capital for growers which they were able to utilise in whatever they chose.

The old ABB became AusBulk initially, but then there was amalgamation and it was reincarnated in the form of Viterra, and ultimately Glencore has become the most recent owner of that entity. It released capital funds and allowed growers to make decisions about how they might

best use those funds. It funded a lot of retirements, it paid some school fees, and in some cases it even allowed farmers to remain in the industry, because times are not always easy on the farm and cash flow is critical, and if that is the decision farmers made, then so be it.

There has been a lot of consultation on this. Generally the industry as I see it is supportive of repealing the Wheat Marketing Act from 1991. There are new players now and new faces sitting around the table. Many of the old faces have disappeared and will remain active, I am sure, but with the expiry of this act a new regime comes into place under the primary industries funding scheme, which exists for other agricultural sectors as well. In fact almost every other agricultural sector, apart from the grain industry, has fallen under one of these PIF schemes acts, and now I guess the grain industry really has come to be a part of the same scheme as all the other sectors in agriculture.

Harmonisation is the word I am looking for, and we are harmonising much legislation at the moment, and this is just another effort to do that. It is not with some dismay from some members on this side that we see this happening, but I urge them to embrace the future. It is a vibrant and ever-changing industry, and the lobbying and representation of that industry continues to change as well.

The Hon. R.B. SUCH (Fisher) (11:58): I will make just a brief contribution. I support this bill. I think it is the result of an evolutionary process that has occurred in relation to wheat. We need to remind ourselves how important is that industry as part of the wider grains industry. As I have said before here, my first job at the ripe old age of 14 was working on a farm at Alford, but horticulture is my preference over agriculture. I acknowledge the very great contribution made by grain producers, including obviously wheat producers, in this state.

I will mention a couple of issues. I notice that some of the funding will support grains research. I have been concerned in recent times that governments, at various levels, have cut back on research for different aspects of agriculture. If Australia, and South Australia in particular, want to be at the forefront of agricultural production, there has to be a continued focus on research and it has to be funded.

Excellent work is done at the Waite, but if you look around Australia there has been a general cutback in funding for agricultural research and I think we will come to regret that in years to come because if you do not keep advancing, in terms of new types of wheat or whatever, then you will eventually find, to your great cost, that you have a decline in yields and you are subject to climate variations and so on.

Another aspect that I would like to mention is the transporting of grain, which is still an issue throughout not only South Australia, but the other grain producing areas. There has been a switch to road because the rail network has been shut down. I think in some situations that has been regrettable because the cost-effective way to shift large quantities of grain is via rail. I was in Burra last week talking to people who would like to see that line reinstated, not only for carrying grain, but carrying ore from some of the mines which are likely to be developed there, as well as tourism.

I think this bill represents an evolutionary phase and, as members have pointed out, there will be some regrets from some farmers, but I think the reality is that this new arrangement makes sense, particularly since the commonwealth has changed the law as well, and so I support this bill.

Mr WHETSTONE (Chaffey) (12:01): I will just make a brief contribution to support the expiry of the Wheat Marketing Act. I will not go back over other members' contributions. In December 2012, the commonwealth passed legislation to abolish the Wheat Export Accreditation Scheme, effectively fully deregulating bulk wheat exports, and so this meant that the Wheat Marketing Act 1989 was largely redundant legislation. The only useful purpose of the Wheat Marketing Act 1989 was to provide the head of power authorising the collection of voluntary contributions to the grain research fund administered by the South Australian Grains Industry Trust.

The grains industry fund, also established under the Wheat Marketing Act through the SAFF Grains Section Fund, has already been replaced by a new fund established under the Primary Industry Funding Schemes Act which came in during 1998 and so the change from SAFF to Primary Producers SA. In April this year the South Australian Farmers Federation disbanded following an industry meeting in Adelaide.

The decision comes as South Australian farmers struggle to meet acute levels of debt, to manage depreciation of land values and skyrocketing production costs. I think a lot of that was due

primarily to the drought and that led to uncertainty; the perception of the members that they were not getting the value that they thought they should have. The new model has the potential to work better in the political arena, particularly with the good work of the Hon. Rob Kerin, to make a one-stop shop, and Primary Producers SA essentially will provide that one-stop shop.

It does create ease for government. It does create a go-to centre or a go-to organisation for lobbyists, for government to make decisions, for ministers to seek support for government policy, but it also helps with the grain producers themselves—the farmers that need the support. They need the mechanisms when decisions are being made. They need a go-to place to have their views and their concerns heard, and I think that Primary Producers SA will do that.

The new body under Primary Producers SA will represent the livestock, dairy, horticulture, wine grape and pork producers and other proposed commodities, and I think that most of these commodities organisations are like-minded. As a past chair of the South Australian Murray Irrigators, I can say that we were a one-stop shop for all irrigators in South Australia. Its worthiness was demonstrated by the fact that the media and the government would come to the organisation and that the irrigators themselves knew that, if they had a concern or if they had issues that needed to be dealt with, it was the place to go to.

I will speak a little about the background of the electorate of Chaffey. It has about 3,000 food producers, but it does have an emerging grain-growing industry. For many years, the Mallee has been widely regarded as marginal country, and rightly so, with very low rainfall. But through the good work of R&D, and field days, through the Murray Mallee dryland group, it has moved forward in leaps and bounds. I think that is the way in which representative groups need to be there. They need to provide representation, but they also need to give out good information and good feedback for the farming sector that relies on them. In today's environment, we are going to need that more and more in order to become cost effective and competitive but we also need to extract more out of less.

As I have said, in the marginal Mallee country we are seeing crops, particularly in the last five years, in terms of tonnage and quality of grain product, we would never have dreamed of taking away from that very marginal country 10 to 15 years ago. That is the result of groups working together and having good representation but also, importantly, that representation needs to be easily accessible and easily seen. I think they have proved that they are a worthy group in terms of extracting information and giving good information. When I say 'extracting', I mean extracting information from farmers to provide information to other farmers so that the farming groups can work together. When farming groups work together, they can benefit one another.

I think that it has been a competitive game forever, and a lot of farmers are reluctant to give up their advantage in relation to what they are doing on their property. It is about farmers looking over the fence at what is happening. It is about farmers getting around in their groups and getting around in their small field day exercises, looking over the fence and being able to access the information—exactly how and why. They can look at what their neighbour is doing and benefit from it. That is something that particularly the grain industry and horticulture and viticulture have all benefited from—that is, dropping the barriers and opening the gate for the neighbour to come in to have a look for him to benefit.

For a neighbour to be able to benefit from their neighbour's divulging evidence of their practice is good not only for the farmer but also for the region, and then it flows on. Then it is good for the state and, if it is good for the state, it is good for our economy, and what is good for our economy is good for everybody because it does have a significant flow-on effect.

Some of that research, development and extension work has been eroded over the last decade perhaps. We see government decisions where R&D particularly is an easy target with budgetary cuts. It is an easy target if it is not your priority; potentially, it is an easy target if it is not your voting population. Over the last four or five years, coming into this political sphere I have noted with great concern—and I do not want to point a finger at any particular government—that particularly for the last 10 years we have had a government that continues to defund programs, projects and research centres and to put the onus on industry.

I do not have a problem with industry taking ownership of what they are about, selling their products for the betterment of themselves and their organisations, but there also needs to be that independent arm giving out advice, giving out the good oil on where the industry is going, on where their markets can emerge and just exactly where the types and the varieties will be on demand. It is about sharing the information; it is about sharing the knowledge. It really is something that all

commodities within agriculture, horticulture, and viticulture—all the food growing sectors—need to understand, that withholding information, withholding representation is not doing anyone any good in the long-term; short-term—sure.

We may have a farmer who has the best looking paddocks, the biggest sheds, and the best equipment, but overall when we come to the tough times, it is their region that suffers and in turn that flows onto the state suffering. As I have said, once the state suffers, the economy suffers and then everyone suffers. It is something that I have looked at more intently over the last five or 10 years, and the barriers are being broken down. I think it is great to see that neighbours are befriending their neighbours now, rather than playing the competitive game.

We are seeing organisation, commodity groups now working together with other commodity groups, and I think that is potentially how the Primary Producers SA will work. I would like to recommend that everyone in this house give support to primary industries and to those organisations, because, again, they have been the backbone. They have been the economic driver in this state for more than 100 years and they will continue to be one of the biggest economic drivers for the next 100 years and beyond, remembering that every paddock, every field that grows food, that grows produce, will grow it again next year. It is renewable.

When we look at our mining sector, we look at a greenfield site. The mining businesses, companies, come into it. They dig a hole, they remove the precious resource and then they fill the hole in and go away and it is gone. It is gone forever, because it has taken more than a lifetime for that resource to accumulate in the ground and become a valuable commodity. Again, it is about supporting an economic base with good representation here in South Australia to become a world leader. South Australia has been recognised as a world leader, but there is always scope, there is always room to become better. There is always scope to do what you do with a better return, to use better technology.

I think with what we have achieved there is more to be achieved, and I think a single desk, a single body representation, something like Primary Producers SA, will be an asset to South Australia. It will be an asset to our economic base. More importantly, it will enable us to put food on everyone's table on a regular basis. It will allow us to export that food and that produce on a regular basis, year in, year out. When we face drought again, when we face hard times, we will have the best evidence, and we will have the best assistance package or toolbox next to us, so that we can deal with those hard times in a much easier way and get on with life; we can be sustainable.

In rising to support the expiry of the Wheat Marketing Act, I think that it will be seen that it will be something that has been change, but it is about dealing with the future. The future here in South Australia is food; it is agriculture; it is horticulture; it is viticulture; it has been for 100 years and it will continue for the next 100 years.

WHEAT MARKETING (EXPIRY) AMENDMENT BILL

Mr PEDERICK (Hammond) (12:14): I seek leave to make a personal explanation.

Leave granted.

Mr PEDERICK: Just for the sake of the record, I want to indicate that I was a SAFF (South Australian Farmers Federation) member right up to the end. I am obviously a former grain grower; now my property is leased out. Again, for the sake of the record, I did have shares with ABB.

WHEAT MARKETING (EXPIRY) AMENDMENT BILL

Second reading debate resumed.

The Hon. T.R. KENYON (Newland—Minister for Manufacturing, Innovation and Trade, Minister for Small Business) (12:15): I thank all the members for their contribution and the finalisation of what has obviously been a long and drawn out process over a number of years. Finally, we have reached its conclusion and I am very pleased with that and urge all members to support the second reading vote.

Bill read a second time.

The Hon. T.R. KENYON (Newland—Minister for Manufacturing, Innovation and Trade, Minister for Small Business) (12:15): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (FINES ENFORCEMENT AND RECOVERY) BILL

Adjourned debate on second reading.

(Continued from 1 May 2013.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (12:16): I rise to speak on the Statutes Amendment (Fines Enforcement and Recovery) Bill 2013.

The DEPUTY SPEAKER: You are the lead speaker?

Ms CHAPMAN: Indeed, I am. I will probably be the only one from this side, but I think some of the Independents are keen to make a contribution and, no doubt, we will be well served by listening to the contribution they have to make in due course. This bill was introduced by the Attorney-General on 1 May, after there had been a consultation paper released in September 2011. The draft bill was tabled in October last year. I will refer shortly to the consultation period allowed but, nevertheless, there were a number of suggestions presented to the government from a working group on this matter.

The implementation of the inquiry, of course, came from a staggering increase in the level of debt that was owed in unpaid fines to the South Australian government. Suffice to say, this has exploded under the watch of the current Attorney-General to a staggering $275 million in unpaid fines. The increase, of course, has lurched to new heights since the new Attorney-General was appointed in March 2010. I do not know whether people just thought he would be a bit of a soft touch compared to the last attorney but, nevertheless, under his watch, this mess has developed. It is fair to say, I think, that any right-minded person observing this phenomena—the 'Rau leap'—would have to say that—

The DEPUTY SPEAKER: I just remind the member that we refer to ministers by their title or by their seat, please.

Ms CHAPMAN: Indeed, sir. The 'Rau leap' is now going to be like Thatcherism, I think.

The DEPUTY SPEAKER: Yes, but you can't use that terminology.

Ms CHAPMAN: It will be a new 'ism'—a 'Rauism'. However, I thank you for your guidance on that. What I outline though—and this is really in his defence—is that even his predecessors were hell-bent on ensuring that every single fine that we had in this state was massively increased, so, of course, even before his contribution to the cabinet, all the seeds had been laid for the growth of this exponential increase in fine accumulation debt because of the massive increase in fines in just about every piece of legislation that the former attorney brought in and other ministers had included. As a consequence, you have more and higher fines and so, not surprisingly, there will be a proportionally higher unpaid debt accumulating to the government. Nevertheless, it is a rather sad indictment under the current regime.

If you look at the unpaid fines, they were down to about $150 million when he came to office, and now, this year, they are up to some $275 million. I do not know what they have they have accumulated to in recent months, but it is a rather sad tale. The fines, it is fair to say, include not just court fines (that is, the fines imposed by magistrates, justices and judges) but also expiation notices for those who are dealt with in a summary way before or without any court application or review. They include expiation notices from issuing authorities such as South Australia Police and local government.

The briefing that was provided by the Attorney-General estimated that there are approximately 150 issuing authorities in South Australia. So, a number of people have the power to issue notices to people who are in breach of a regulatory or legislated behaviour which is outlawed for whatever reason or which attracts a fine if there is any breach. The level of unpaid fines has been compounded by the victims of crime levy being doubled from 1 January 2011. Members may be aware that during the 2011-12 financial year victims of crime levy receipts increased by 31 per cent from the previous financial year to $21 million.

It is noted that, alongside this accumulation of moneys that has increased in crime levy receipts, there has been a massive explosion in the value of the Victims of Crime Fund itself. Members might well be aware that there is now over $100 million in this fund, which is a very substantial amount of money. I think, tragically, it is still sitting there and has not been applied to the payment of some who are clearly deserving to receive it.

Members would be aware of the many long and tortuous debates we had in this house to provide support after the Mullighan inquiry for those who are the victims of institutional sexual abuse, as children, and which has had, I think, a very unsatisfactory resolution in the provision of compensation to many of the victims of that appalling behaviour. Nevertheless, it is important to note in this debate that the fund includes a significant level of unpaid moneys that the victims of crime levy has imposed and which has expanded as a result of being doubled.

The bill was presented in the media as being significantly reforming. I think a headline in *The Advertiser* on 28 March 2013 was, 'Squad to hit fine dodgers'. I think this is to be like a new posse out there under the instruction of the Attorney. I note that they have to be existing public servants and have a number of other qualifications to become a member of the Attorney-General's hit squad; nevertheless, we will come to that in a moment. Really, it is the establishment, the obligations and powers of the special task force, the unit—whichever way we are going to describe it—of the Attorney's fines enforcement and recovery officers (alias posses), which form a very substantial part of this bill.

Essentially the bill proposes that a range of new enforcement measures to recover debt include the clamping and impounding of vehicles under section 70O. Members may be aware that previously a vehicle could be confiscated but could not have these interim measures imposed. There is also provision for the sale of a debtor's primary place of residence if a debt is more than $10,000, and placing charges on the land. That was under clause 11 and covers section 70G.

I might say at this point that even I am old enough to remember the enforcement powers that used to be available under the old Community Welfare Act for debts of outstanding child maintenance payments to be secured by caveat over the house property of the defaulting payer—usually the father in those days, but perhaps more often than not now mothers, if they have an obligation to pay child maintenance. In those days the defaulting child maintenance payer was vulnerable to the then minister for community welfare having the power to place a caveat on the defaulting payer's property, and that caveat could only be removed by ministerial authority.

I am just trying to remember the name of the minister that was there in the late 1970s. It was one of ours. I will think of his name during the course of this debate. He told me that he used that power quite often and it was very effective. It would usually operate on this basis: the caveat would be placed on the house and sooner or later the defaulting party would want to borrow some more money, extend their mortgage or even sell their house and move with the new girlfriend to another place or whatever. There would usually be some event that would mean that they would trot back into the bank to renegotiate their financial arrangements. At that point the minister was able to say, 'Well, that's fine, but this caveat is not coming off until you have paid the $14,650 in child maintenance.' It was a very effective tool.

I cannot be certain of this, but my understanding is that that capacity disappeared in the reform of legislation during the 1980s—I can only assume under the Bannon era—to wipe what I think was an effective means of enforcement when there had been a persistent non-payment of a legal liability; in that case it was child maintenance. I think it was around that time that the old debtors' prison cells were converted to accommodation for life prisoners out the back of the women's prison, which used to be there for 10-day orders for people to serve if they failed to pay debts.

Historically, we have had provision for enforcement of debt when there has been a consistent non-payment and, for whatever reason previously, those have been abandoned in probably well-intentioned reforms at the time. There is one thing for sure: house ownership is still a goal of many and is achieved by a number, and is often relied upon for the purpose of security of funds, so sure enough, eventually, one day they can be caught up with. So, some sort of caveat procedure on a property is very effective. In this instance, it will make provision for a charge to be placed on the land. I am not sure what priorities that takes over, but I do not doubt it will be up there with taxation and others as an early charge on the property for enforcement. Usually, debts to the Crown are pretty high on the ladder.

I make the point that the application of securing a charge over a debtor's primary place of residence I think probably in the long term is wise, and raises the question of why it should have been abandoned in other areas in the past.

The Hon. J.D. Hill: Is it John Burdett you were thinking of?

Ms CHAPMAN: John Burdett, yes. I am assisted today—thank you—by the member for Kaurna, who has indicated that the Hon. John Burdett was the minister for community welfare and I

think a few other things in the late 1970s in the Tonkin administration, and an interesting fellow he was. In any event, I will just move on. The other areas of reform are to publish the debtors' names on a website as a means of serving notices where the debtor is unlocatable and, finally, an open-ended licence disqualification provision. These raise some interesting initiatives. Obviously, in the electronic world, it is not unreasonable that the website be used as a means of notice. I am not certain that it is going to be adequate, but it may be a reasonable halfway point.

Historically, we have required in lots of laws in this parliament that publication in a daily newspaper or a series of daily newspapers is necessary for the purposes of fulfilling a reasonable public notice, and that goes on. One only has to flick through the only statewide paper that we have published on a daily basis here, namely *The Advertiser*, and the public notices that are in there, and there a lots of pieces of legislation that require that. That, of course, can be on the electronic form of the news editions that we receive.

It is not unreasonable that there be some web page notice. There was recently a bill that came to my attention which proposed the abolition of publications, not in this house, I hasten to add. I do not think I am breaching any rules about current legislation. It was a clause which suggested that it should no longer be necessary to publish in the daily newspaper and that in fact a notice on a particular department's website should be enough to give notice.

I, for one, have raised some questions about that, for this reason alone: whilst websites are really just electronic libraries of information, it does require that somebody sit there and actually check it from time to time or have some trigger to be able to identify that information is actually in the library. It is a bit like going into a library and them saying, 'It's in the library here somewhere and there might be an updated periodical, but we're not going to tell you when that happens and you can just keep an eye on it.'

Fortunately, these days you do not have to walk through the library and check every volume, but even with websites, they do require someone to monitor it and to be able to check on that. So, we will have a look at that. There is also the open-ended licence disqualification provisions under 70M, so I will come to those individually. The bill sets up parallel enforcement provisions in the Criminal Law Sentencing Act 1988 and the Expiation of Offences Act 1996.

An initiative also in this bill is that it will no longer require debt enforcement agencies to follow a predetermined process to escalate the debt collection measures. All the measures will be available as soon as the debt is overdue. I think there are new ways upon which enforcement can occur. A streamlined approach is offered, a new squad is going to be deputised to do it and, finally, the axe is going to come down the minute the bill is overdue. It seems that, in this new streamlined process, there are some instances where you will not even get a second notice, which is a common practice, for example, of local councils. You are going to be vulnerable to these measures the minute the debt is overdue.

In the time I have been here in the parliament, a fairly effective other means has been there, I think, and that is in respect of land obligations and taxation particularly. The minute something is overdue, suddenly there is a massive rate of interest which accrues on the bill, and that is usually a fairly effective means of ensuring that there is some payment. We are dealing with fines here as distinct from a taxation assessment which remains unpaid, but the Stamp Duties Office for this state seems to have a pretty effective means of recovering a large amount of its debt, not the least of which is that a huge impost immediately applies the minute something is overdue.

I have noticed that there has not been a reciprocal interest payment for those occasions when the government has kept our money and paid it out at a later time. I recall not long after being in the parliament receiving a land tax bill, and then the government, under the former member for Ramsay's regime, with the former member for Port Adelaide as his treasurer, suggested that there should be some refund—and this was announced.

A year later, I received a cheque for a quarter of the money that had been paid in a land tax payment, with a glowing letter from the then premier saying, 'Dear Ms Chapman, we are pleased to enclose a cheque as a refund for the monies we have' ripped off you—that of course was not in the letter; nevertheless, some of it was coming back, but not one cent of interest was paid with it. However, I suppose we got some of it back, even if it was a year later. I make the point that the imposition of high interest rates for a number of civil debt obligations to the Crown has been very effective in the past.

I turn now to the squad; that is, the fine enforcement recovery officers who are to be appointed to enforce the pecuniary sums under the act. They must be a person employed in the

Public Service, and the officer can appoint agents to whom a fine must be paid. So, they can nominate the agency that is to receive the fine under the payment regime.

The new powers extend to youth under the age of 18, although greater flexibility for substituting pecuniary orders with community service exists for that age cohort. The officer can exercise full discretion to waive payment of whole or any part of an amount payable by a debtor. This is interesting because it moves from an enforcement role to really a judicial role to exempt or waive the obligation to make whole or part of a payment and to undertake that assessment. So, this is a new era of Public Service judiciary to handle debt collection.

They can also investigate a debtor's means to pay and give written notice to compel the debtor to produce documents or other materials relevant to the investigation within the stated period, and the maximum penalty for noncompliance is $10,000. Interestingly—but not surprisingly for this government—the proposal in this bill is that the onus of proof is to be on the defendant to prove that they had a reasonable excuse as to why they did not comply with the request.

Consistent with the government's myriad other amending bills in this house, they are going to introduce an army of enforcement officers; in this case, they are going to be backed up by the authority to extend to up to $10,000 in fines for people who disobey them. So, it is not just a task force: we are clearly going to have the hit squad on this issue with these enforcement officers.

Interestingly, they can compel a government agency, except those prescribed by regulation—it will be interesting to see how long that list is—to hand over contact details for a debtor in their possession. I am assuming (but we are yet to hear from the minister) that this would include, for example, the Housing SA department, which may have a record of someone's prior accommodation, residential addresses, or current or last-known addresses, to be able to provide that information.

The obligation will be on the government agency to share the prescribed particulars about a person with interstate authorities. That is consistent with the sharing of information between government agencies. We have seen where that has comprehensively failed in the past. Again, historically, there has always been a reluctance to provide information, for example, from Centrelink, which is the principal federal agency for the provision of pensions and, yet, this has been a reservoir of information, usually because the last connection that people have with government agencies if they are avoiding payment and leaving addresses without forwarding addresses etc., is Centrelink, on the basis that it is the source of a pension income, and surely would be a valuable resource from which to get the information.

There are exceptions already that require Centrelink to produce information about a person's address or payments that they might receive, for example, where there is an attempt to trace the whereabouts of a child under our federal laws and, of course, upon that information being required to be produced under subpoena and the like, but these are processes that usually involve existing, or require, court applications to be made. We do note that there appears to be an effort here to share information for the purposes of debt collection. I assume that that is supported by the principle that the taxpayer needs to have enforcement of what is owed to the government on the basis that it is the property of the taxpayer and, therefore, should be pursued, and that it is in the public interest for that money to be recovered.

The officer may also require a person to produce identification if they reasonably suspect the person to be a debtor. Again, not surprisingly by this government, the onus of proof is on the defendant to provide a reasonable excuse as to why they did not comply with the request. I think members would be aware that this is not the sort of information that is normally provided unless you are seeking a particular service from an agency, i.e. you want to apply for a pension for which presentation of identification is a prerequisite. In this instance, it requires the production of identification if the new fines and enforcement recovery officer reasonably believes that person to be a debtor, and I expect that there will be some who have a comment on this based on the onus of proof obligation.

There is the capacity for the officer to place a charge on the land—not a court or anyone else—that power is now going to be the public servant's domain, unlike the old minister caveat procedure which I referred to under the old community welfare act. Under section 70K(2) the officer can sell the land if the debt exceeds $10,000. So, again, these officers are not just going to be there for enforcement, to make inquiry and to report back to a minister or a court, they are going to be able to make the assessment themselves, require the production of documents, compel the

release of information from government agencies and exercise the power to release whole or part of the obligation, all within this one person's power.

Here we come to the extra powers as well which include the power to confiscate personal property to satisfy the debt. A person with an interest in any personal property or land must apply to the court or use the Magistrates Court where applicable for the land or property to be excluded from sale or to receive their share of the proceeds. It has always been the case in the current debt collection process that once the debt has been identified, it has been confirmed by a determination by a magistrate and/or judge, and that there has been evidence of non-payment, there are various routes upon which the victim of non-payment can proceed with a course for the enforcement, from issuing a summons to recovering bankruptcy notices.

Notwithstanding that, there were always lots of anecdotal stories in the days when we had private investigators serving summonses and recovering debts. They would arrive at a house and—back in the days when televisions were actually worth something—if they were identified in the lounge room and there was an indication of the amount of money to be paid under the summons, that could be attended to promptly if the television were put in the back of the car of the person serving the summons.

These are the sorts of stories you would hear about; on the face of it, some intimidation into payment accompanied, or not, by people threatening all sorts of disaster or pain if they were not paid. I am not going to go down that line, but I just make the point that there have been some rather novel methods of enforcement over the years—or certainly reports of that. We do not want to exacerbate that; however, I would be interested to see what these officers will be doing, whether they will require police officers to attend with them if they propose to enforce this new provision, which will give them the power to confiscate personal property to satisfy debt. The mind boggles as to how that will actually operate.

The determinations will not automatically result in a conviction. At present, if a person does not pay their expiation by the due date and the Registrar issues an enforcement order under section 13 of the Expiation of Offences Act 1996, the person is taken to have been convicted of the offence by the court. This provision will be removed under this bill. Instead, if a person does not pay their expiation notice by the due date, the officer—the fines enforcement and recovery officer—will make a determination, and the person will be treated as though they had expiated the fine, with the amount still owing however, and, therefore, not convicted by the court.

In these instances, demerit points and other penalties that would usually apply upon expiation would take effect upon a determination being made. The person issued with the expiation would retain their right to dispute the matter in court, but, again, this is a streamlining process by the officer.

The bill also provides the officer with the discretion to determine that an expiation notice should not have been given to the applicant in the first place; that procedural requirements were not adhered to; that the applicant failed to receive notice; that the issuing authority failed to receive a statutory declaration or an election to be prosecuted; or that the applicant has already paid the fine. I call this a remedy clause, a provision to enable that to be administratively attended to, and, on the face of it, that seems to be sensible.

The applicant may also apply to the court for a review of an enforcement determination. Essentially, in considering the Attorney's second reading speech on this matter, it seems that the government expects that this new squad will be largely responsible for the enforcement of what is owed to the government, and that the current magistrate's role will be spared the management of the recovery of debt. If that is the case then, on the face of it, yes, it will have a direct benefit to the special justices' time, because obviously it will free them up to do other work. That is an admirable outcome. We will see whether that is the case or whether the actions of the squad are not as effective as anticipated and there is a further reliance on the court process.

I think it is fair to say that whilst everyone agrees that, as much as possible, people who are in our courts need to be applying their wisdom, high academic training, status and cost of the whole process to the important decision-making and not to administrative matters, this legislation takes a quantum leap in transferring that to the administrative management and enforcement by public servants.

There is also a power to negotiate payment plans. The hardship requirements that restrict negotiable payment options to ordinary fine defaulters will be abolished. Members would be aware

that under our current legislation, when the courts were faced with an application of enforcement, they would commonly have to make an assessment of whether the debtor had a capacity to pay.

There were frequent submissions under the hardship requirements as to the lack of income in a household; the lack of employment by the debtor; the number of dependents for whom the debtor had to provide; sick relatives; or some disability or injury sustained by the income earner. All these types of things were raised and supported the plea that there be some relief for the debtor because of their impecunious state.

That goes and will be replaced by a list of options that can be instituted without showing hardship; that is, you can have the opportunity to come along and enter into these payment plans with the officer without having reached that threshold, which include: payments by instalments for a period of up to 12 months; an extension in time to pay; the taking of a charge over land; the surrender of property to the officer; payment from other sources (i.e., direct credit, such as from wages and bank accounts—the old garnishment-type process); and any other agreement entered into that is agreed upon between the debtor and the officer. Again, the officer has a high level of discretion to enter into a negotiated arrangement.

Provided there are no unreasonable impositions with this, that in itself does seem to be a process that is worthy of support. I think it works on the principle of negotiating an agreement and there is participation in that. It is a bit like a child having a behaviour agreement with their parents, where they sit down and identify what the problems are, the parent and child sign up to the commitments they make to ensure that there is some enforcement of good behaviour, and they set in advance what the agreed penalties are if the child is not home on time, or they have overrun their mobile phones (which is a good thing that could be kept in check with young children today, because parents usually have to pick up the bill; they are usually the underwriting guarantor for those things).

In any event, I just make the point that where there is a process for an officer, in this instance, to negotiate with a party a reasonable plan of repayment that is achievable and supported by an agreement under a plan, one likes to think that that would be an opportunity to give it a go. In essence, it is exactly what happens when there is some agreed course of repayment recorded at a courtroom.

The minister has the power to declare an amnesty for costs, fees and other charges, and may apply to a debtor or a class of debtors. We are yet to see what happens with this. We have amnesties for all sorts of things, including the right to give up guns that are not registered and to have some protection against prosecution, usually in exchange for delivering up some goods or effect.

I am not certain how this will apply, but I would have thought that the minister already has power to do a number of those things, not necessarily by an amnesty per se but to authorise the release of any further action to pursue a debtor. Certainly, for example, the Treasurer has certain powers to authorise the exemption of an obligation in respect of a particular tax.

I can remember writing to the former member for Port Adelaide to ask him to favourably consider the relief of taxation by way of stamp duty on insurance policies for a private hospital. When we went through the HIH insurance collapse, the consequences were very high premiums and sometimes inaccessibility for institutions to access insurance. Private hospitals were really under the pump in relation to even being able to access insurance.

Suffice to say, these massively increased premiums bought a major windfall to the government of the day. I wrote to minister Foley and pleaded for some mercy for a particular hospital to be relieved of the massive windfall that the government received on the stamp duty. I do not need to go through in any detail the response, but it was pretty brief and it was totally negative. The government was not interested in giving any relief, even though the treasurer of the day had the capacity to provide that relief, so I am not sure why it is necessary to have an amnesty power.

If the Attorney-General—I assume it is the Attorney-General, but whichever minister is going to be responsible for it—wishes to have an amnesty power, it does raise the question: if they are going to provide relief for payment of a fine, then perhaps they also need to consult with the administering authority that will lose the revenue that comes with it in those circumstances. I will refer to local government in particular shortly.

There is also power for the officer in question to decide to waive the amount payable under an agreement. They must notify the victim of that fact. The person will be allowed to seek

compensation for the debt from the debtor through civil proceedings. I think it is important that there is a capacity to recover at the civil level.

I come to the Victims of Crime Fund collection. Here is where this new squad, rather than the Crown Solicitor, is going to have responsibility for recovering money owed to the Victims of Crime Fund. If we are going to have a task force—even if I or others in another place think ultimately that the process is in need of some reform—if we are going to have a hit squad, then it is probably reasonable that they undertake the role of the recovery of the Victims of Crime Fund as well.

This is usually an item that is ordered to be paid at the time of conviction or the sentence being issued or the fine being applied but of course there are a number of other cases where there is an order for a Victims of Crime Fund payment, and it would be sensible, probably, to put it in the same hands. The changes will make it explicit that a levy imposed cannot be exchanged for community service. I think I am right in saying that that is currently the position, that you cannot get out of that obligation by undertaking a number of hours of community service. I seek leave to continue my remarks.

Leave granted; debate adjourned.

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

CO-OPERATIVES NATIONAL LAW (SOUTH AUSTRALIA) BILL

His Excellency the Governor assented to the bill.

MOTOR VEHICLE ACCIDENTS (LIFETIME SUPPORT SCHEME) BILL

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (DIRECTORS' LIABILITY) BILL

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (REAL ESTATE REFORM REVIEW AND OTHER MATTERS) BILL

His Excellency the Governor assented to the bill.

SCHOOL COUNSELLORS

Mr PISONI (Unley): Presented a petition signed by 279 residents of South Australia requesting the house to urge the government to support the retention of the Allenby Gardens Primary School counsellor from 2013.

SCHOOL TRANSPORT POLICY

Mr PISONI (Unley): Presented a petition signed by 146 residents of South Australia requesting the house to urge the government to take action to review the department's school transport policy, specifically the restrictions placed on government and non-government students in accessing the department's school buses.

WARRAWONG SANCTUARY

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition): Presented a petition signed by 3,567 residents of Mylor and greater South Australia requesting the house to urge the government to take immediate action against the closure of Warrawong wildlife sanctuary.

ANSWERS TO QUESTIONS

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

CLASSIC TARGA ADELAIDE

319 Mr HAMILTON-SMITH (Waite) (23 August 2011) (First Session). With respect to 2011-12 Budget Paper 4—Volume 4, p19—

What are the proposed arrangements and budget for the new Classic Targa Adelaide, in 2011 and future years, and how will this year's event differ from previous events?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport): The South Australian Tourism Commission entered into a sponsorship agreement with the new event owner and manager Octagon. The details of the funding agreement are commercial in confidence. The first of these events was held in 2011.

The principal difference between the previous events and the 2011 Supaloc Classic Targa Adelaide was that the event focussed on delivering a better value for money experience for the drivers and their crew.

The event utilised different roads. It had a prologue, which was staged in the Barossa in 2011.

Furthermore, the Supaloc Classic Targa Adelaide is part of the Targa Rally Championship which includes the iconic Targa Tasmania.

CLASSIC TARGA ADELAIDE

320 Mr HAMILTON-SMITH (Waite) (23 August 2011) (First Session). With respect to 2011-12 Budget Paper 4—Volume 4, p19—

1. What is the tenure of the contractual arrangement between the government and Octagon in the respect of the Classic Adelaide Targa Event?

2. Has the government and Octagon secured the support of the Sporting Car Club and other volunteers with respect to this event?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport): I have been advised:

The tenure of the contractual arrangement between the government and Octagon is from 2011 to 2014, covering the first four events.

Octagon, the Event owner and manager has the support of local sporting car clubs, who provided a number of officials during the 2011 and 2012 events. Local volunteers were involved in both the 2011 and 2012 events.

CLASSIC ADELAIDE RALLY

322 Mr HAMILTON-SMITH (Waite) (23 August 2011) (First Session). With respect to 2011-12 Budget Paper 4—Volume 4, p19—

1. Have the debts associated with the previous Classic Adelaide Rally event been resolved and who has sustained financial losses as a result of its collapse?

2. Have intellectual property and ownership issues of the previous event and the new event been resolved?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport): I have been advised:

Administrators were appointed on 13 April 2010 and all matters relating to creditors payment were managed directly by them.

The intellectual property of the now defunct Classic Adelaide remained with the previous owners.

South Australia has a new event, Targa Adelaide, owned and managed by Octagon. This event is heading to its third year in 2013.

APY LANDS, DRUG AND ALCOHOL SERVICES

481 Mr MARSHALL (Norwood—Leader of the Opposition) (4 December 2012).

1. How much funding has the South Australian government provided to Drug and Alcohol Services SA (DASSA) to operate a mobile outreach service on the APY Lands during 2011-12, and how much government funding has been allocated to this service in 2012-13?

2. How many persons were formally referred to DASSA's APY service between 1 January 2012 and 31 October 2012 and of these, how many were subsequently formally registered as DASSA clients and in each case, what was the principal drug of concern?

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): I understand:

1. In 2011-12, the South Australian Government allocated $700,000 for the operation of a mobile outreach service by Drug and Alcohol Services South Australia on the Anangu Pitjantjatjara Yankunytjatjara Lands. The budget for 2012-13 is also $700,000.

2. The preliminary data for the period 1 January, 2012, to 31 October, 2012, shows that the mobile outreach service received 56 formal referrals relating to 53 clients. Of the referrals, 30 have formally been registered as clients. The drugs of concern at referral for the period were:

- Alcohol—37
- Cannabis—13
- Tobacco—2
- Petrol/solvents—3
- More than one principal drug—1

KANGAROO ISLAND

In reply to the **Hon. I.F. EVANS (Davenport)** (20 June 2012) (Estimates Committee A).

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

The 2020 Kangaroo Island visitor expenditure target of $180 million includes overnight visitor expenditure by both domestic overnight visitors (intrastate and interstate) and international overnight visitors.

The latest available figure for overnight visitor expenditure on Kangaroo Island is $119 million (as at the year ending September 2010).

GRANT EXPENDITURE

In reply to **Mr MARSHALL (Norwood—Leader of the Opposition)** (22 June 2012) (Estimates Committee A).

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development): I am advised that the following provides information with regards to grants of $100,000 or more:

2011-12 (Department for Manufacturing, Innovation, Trade, Resources and Energy)

Name of Grant Recipient	Amount of Grant $	Purpose of Grant	Subject to Grant Agreement (Y/N)
CO2 CRC Limited	50,000	Contribution to CRC to sustain the co-location of CO2CRC team in the Australian School of Petroleum at the Uni of Adelaide.	Yes
Dept of Environment & Natural Resources	150,000	Collaborative program with DENR under PACE 2020 initiative. The program focuses on the development of processes and systems in DENR to ensure the streamlined processing of statutory referrals and development of best practice policies to support PIRSA in managing effective exploration access and work programs within reserves.	Not Applicable
Port Augusta Secondary School	30,000	Contribution to Graham (Polly) Farmer Foundation project to assist aboriginal students to complete secondary school.	Yes
University of Adelaide	165,446	Contribution for South Australian State Chair of Petroleum Geology.	Not Applicable

Name of Grant Recipient	Amount of Grant $	Purpose of Grant	Subject to Grant Agreement (Y/N)
Dept Resources Energy & Tourism	17,736	Development of National Mine Safety Database, an initiative of the Ministerial Council on Mineral and Petroleum Resources (MCMPR).	Funding as agreed by the member jurisdictions of the MCMPR.
Plan for Accelerated Exploration (PACE) (various grant recipients)	1,553,308	Funding as part of the PACE Mining Initiative to assist industry to undertake exploration drilling of challenging and innovative targets to increase the potential for discovery and improving the perception of prospectively in South Australia.	Yes
Roxby Downs Council	300,000	State contribution for Roxby Downs Council deficit as required under the *Roxby Downs (Indenture Ratification) Act 1982.*	Requirement of Roxby Downs Indenture
Dept Resources Energy & Tourism	16,155	Contribution to the National Mine Safety Framework (NAMSF), an initiative of the Ministerial Council on Mineral and Petroleum Resources (MCMPR).	Funding as agreed by the member jurisdictions of the MCMPR.
SAPMEA	11,818	Australian Geothermal Energy Conference 2011 sponsorship	No
South Australian Museum	350,000	Synchrotron Research Enabler—Contribution to costs incurred by the South Australian Museum	Yes
South Australian Museum	250,000	Digitisation of the Australian Aboriginal Material Culture Collection	Yes
Dept Resources Energy & Tourism	28,854	Standing Council on Energy Resources—Coal Seam Gas Work Program	Funding as agreed by COAG members
Bridge8	20,000	Zone sponsorship for 'I'm a Scientist, get me out of here!'	No
District Council of Coober Pedy	3,281,834	Annual operating subsidy to an independent operator in the Remote Areas Energy Supply (RAES) Program	Yes
Andamooka Power House	993,460	Annual operating subsidy to an independent operator in the Remote Areas Energy Supply (RAES) Program	Yes
Dalfoam Pty Ltd	157,310	Annual operating subsidy to an independent operator in the Remote Areas Energy Supply (RAES) Program	Yes
Australian Energy Market commission (AEMC)	1,288,755	South Australia Funding obligation to the AEMC operations as per MCE agreement	Yes
Dept for Resources, Energy & Tourism	214,037.50	Fund the operations of the Ministerial Council on Energy Working groups	Yes
Oak Valley (Maralinga) Inc	67,277.27	To provide Power Support Officer services at Oak Valley and on land managed by Oak Valley (Maralinga) Inc	Yes
Yalata Community Inc	61,360	To provide Power Support Officer duties at Yalata Communities and on land managed by Yalata Community Inc.	Yes
904 Eligible Recipients	452,000	Solar Hot Water Rebate—various eligible recipients received a rebate of $500 for the installation of an energy efficient hot water service	No

PAPERS

The following papers were laid on the table:

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

Regulations made under the following Acts—
Parliament (Joint Services)—Retention Leave
Public Sector—Retention Leave

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

Summary Offences Act—
Dangerous Area Declarations Quarterly Report 1 January 2013 to 31 March 2013
Road Block Establishment Authorisations pursuant to Section 74B Quarterly Report 1 January 2013 to 31 March 2013
Regulations made under the following Acts—
Legal Practitioners—Practising Certificate Fees

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

Regulations made under the following Acts—
South Australian Public Health—
General
Legionella

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

Regulations made under the following Acts—
Education—Retention Leave

By the Minister for Transport and Infrastructure (Hon. A. Koutsantonis)—

Regulations made under the following Acts—
Valuation of Land—Fees and Allowances

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

South Australian Country Fire Service—Volunteer Charter

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

Regulations made under the following Acts—
Fisheries Management—
Demerit Points—
Taking of Cephalopods
Use of Hauling Net
General—
Taking of Cephalopods—Expiation Fees
Use of Hauling Net—Expiation Fees
Forestry—General

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

Regulations made under the following Acts—
Environment Protection—Works Approvals and Licences Fees

GAMBLING ADVERTISING

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:06): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: There can be no doubt that South Australian families have become increasingly frustrated about the penetration of gambling advertising into sporting

coverage. They are worried their children are now viewing their favourite sports not through the prism of what is happening on the field but through the prism of the associated gambling.

In recent years, there has been a significant increase in the promotion of live odds and sports betting advertising, making it almost impossible to watch a game of footy without being confronted by live odds and betting being portrayed as an integral part of the contest. The number of betting ads on free-to-air TV has quadrupled in the last two years. In 2012, there were 528 individual ads collectively broadcast more than 20,000 times. Discussion of gambling now appears to be part of the normal discourse during sports broadcasts.

The proposal put forward by Free TV and the Australian Subscription Television and Radio Association was guided by self-interest and did not meet community expectations. While the industry's proposed changes would have stopped commentators and their guests promoting live odds, it would have still allowed sponsored segments to promote the odds whenever the game was not in play, such as during scheduled breaks or suspension of play. It would still have allowed promotion of live odds at the ground. This proposal was supported by the federal Coalition, with Tony Abbott saying on 5 May, 'If the industry is to act on these proposals, the Coalition will be satisfied.'

The state government will not be willing to sit back and allow live odds advertising to become an integral part of Australian sport and nor will the Independent Gambling Authority. A report tabled on 15 May recommended the banning of live odds promotions during sports broadcasts and at sportsgrounds. It proposed to do this by amending the codes of practice which govern the codes of gambling providers in this state.

I have asked the IGA to accelerate the implementation of the ban. A week ago, the IGA provided gambling providers with a copy of the draft notice which will ban live odds promotions during sports broadcasts and at sportsgrounds with effect from 1 August 2013. Gambling providers have been given 28 days to make representations before the notice is gazetted. Free TV and ASTRA have also been provided with the notice.

The nation-leading initiative is good news for South Australian families. Parents who want to sit with their children to enjoy their favourite live sport will be able to watch the game without seeing any live odds promotion during the game, during scheduled breaks and at sporting grounds.

We welcome similar moves now being promoted nationally by the commonwealth Labor government. It would obviously be beneficial if the national ban were consistent with ours, but we are here to represent the rights of South Australians and so we will implement the codes of practice we have foreshadowed.

ECONOMIC AND FINANCE COMMITTEE

The Hon. L.R. BREUER (Giles) (14:13): I bring up the 79th report of the committee, entitled Emergency Services Levy 2013-14.

Report received and ordered to be published.

VISITORS

The SPEAKER: In the gallery today we have members of the Flinders Probus Club from Port Augusta, who are guests of the member for Stuart; we have Magill Neighbourhood Watch, who are guests of the member for Hartley; and we have Annesley College, who are guests of the member for Ashford.

QUESTION TIME

BRITANNIA ROUNDABOUT

Mr MARSHALL (Norwood—Leader of the Opposition) (14:15): My question is to the Premier. Why should the public trust the government to upgrade the Britannia roundabout, when they have promised this project before, only to cancel it?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:15): I thank the honourable member for his question. He seems to be about the only person who is not pleased with this excellent news today that finally we are trying to grapple with something which has plagued South Australia for decades, that is, a roundabout which has caused countless accidents and struck fear into the hearts of motorists as they approach the Britannia roundabout.

We have found a solution now which is elegant, I must say, in its simplicity. It has another benefit, speaking now as Treasurer: it is actually quite affordable at $3.2 million. It is very pleasing to find that the best solution actually happens to be the least expensive solution. Of course, those opposite, who have proposed many different models for the upgrade of the Britannia roundabout over the years, never got around to it during the 10 or so years when they were in government. The Britannia roundabout has not presented as a difficulty just in the last period since 2002; it has been a problem for decades. Some of the solutions, to be frank, have been quite expensive, and some of them have done quite a lot of violence to the Parklands—

Members interjecting:

The Hon. J.W. WEATHERILL: Look, we are doing you a favour here. This is going to be great for the people of Burnside. When they go up to the Burnside shopping centre they will be able to do that without fear in their heart. The only fear they will have is how much they are going to spend at the Burnside shopping centre. They will be able to cruise on through beautifully. This is going to be a great result for the people of South Australia. People will be able to use the ring route without having the fear and trepidation of approaching this awful roundabout. That is a good thing for the traffic network.

The advantages are that not only is it affordable but it also takes a mere 60 square metres of the Parklands, most of which, I think, is already concrete, or already bitumen. It is a very small sliver compared with a very large amount of Parklands that would have been required for some of the other propositions. Of course, there's the trees. There were many trees that were proposed to go under previous propositions. This now saves substantially all of the large river gum trees in the Parklands. There is one very small gum tree which is to go and a few plane trees. This is great result in terms of both.

So, we have saved the trees, we have saved the money, and we have also saved you the embarrassment of having to come up with a proposition yourself for this matter. This has been something that has been worked on by the road traffic engineers. It is not something that we have designed; it has been worked on by them. It is an intelligent solution and we are very pleased to back it. It also happens to be the RAA's top pick of all of the traffic intersections to be done up around South Australia.

The SPEAKER: Arising out of that answer, I call the member for Morialta to order and warn him for the first time. I call the member for Bragg to order and warn her for the first time. Also the member for Davenport is called to order and warned for the first time. The member for Hammond is called to order and warned for the first time. Those who are called to order include the member for Heysen, the leader, the member for Finniss, the member for Unley and the initiator of all the trouble: the member for Kavel.

The Hon. I.F. Evans: What about the Minister for Transport?

The SPEAKER: And the Minister for Transport is called to order. I call the member for Taylor.

HOUSING

Mrs VLAHOS (Taylor) (14:19): I would like to ask a question of the Premier. Will the Premier update the house on what the government is doing to support the housing construction industry to ensure access to affordable housing?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:19): Thank you, Mr Speaker.

Mr Marshall interjecting:

The Hon. J.W. WEATHERILL: I know those opposite don't like occupational health and safety. They would like working people of this state exposed to harms in the workplace, and we will be reminding our colleagues in the workforce, who go to work and like to come home safe and sound, of the opposition's position on this matter.

Can I say that the housing sector activity, as all of us are aware, has been subdued for some time. That is why last year we sought to stimulate this sector through, amongst other things, the creation of an $8,500 Housing Construction Grant. More than 1,100 of those grants have been taken up since they became available just seven months ago, leading to $357 million worth of purchase or construction.

On Saturday, I was pleased to announce a new affordable housing stimulation package to continue our assistance to this important sector. As part of this package, we will extend the Housing Construction Grant to the end of the year. We will also deliver, as part of the whole of our public housing and community housing package, a boost of $220 million over the next 18 months, supporting more than 2,400 jobs, including a new investment of $50 million for new community and social housing.

Yesterday, I also convened a construction industry round table, along with the Deputy Premier and the Minister for Housing, where we announced that we would appoint a coordinator-general to oversee the delivery of this package and fast track these houses being put on the ground. I am pleased to report that at the round table there was unanimous support for the policy measures that we have proposed. It is widely acknowledged that these measures will increase activity levels. The round table also agreed to a joint communication strategy to ensure prospective homebuyers are fully aware of the grants and concessions available to them.

We also agreed, because of the difficulties being experienced by a number of enterprises in gathering finance and processing applications through banks that have their head offices interstate, to jointly approach the national banks to find ways to overcome some of these difficulties. We will not sit idly by while thousands of workers in the building industry have their livelihoods threatened. That is what this package is about: it is about ensuring that working people can have continuing, secure, well-paid and safe employment in their workplaces.

The affordable housing stimulation package and the work of the round table yesterday demonstrates our government's way of acting: a strong government working in partnership, seeking to make connections with the business community, sitting down and working with them to come up with fresh ideas.

HOUSING

Mr MARSHALL (Norwood—Leader of the Opposition) (14:22): Supplementary, Mr Speaker.

The SPEAKER: Yes, supplementary.

Mr MARSHALL: Can the Premier inform the house: have they appointed somebody to the role of the coordinator-general, who that person is, what the status of that job is—whether it is full time or part time—and what resources are going to be allocated by the government to this important role?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:23): I thank the honourable member for his question, and I am more than happy to supply that information to the house. Yes, we have appointed somebody to that role. The name of that person is Rod Hook.

Mr Marshall: He's also running a department, and a bridge, and all these projects.

The Hon. J.W. WEATHERILL: Just as he was running a department when he implemented the most successful rollout of the Building the Education Revolution funding in the nation, acknowledged by all industry players.

Ms Sanderson interjecting:

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

The Hon. J.W. WEATHERILL: His roles and functions will be to oversee the speedy delivery of the housing construction program. Those opposite may cast their mind back and recall that an element of the federal government's stimulus package was, in fact, the rollout of some social housing, one of the most spectacular examples of which I think are the UNO apartments, which are on Waymouth Street. They are a fantastic example of the way in which you can cocktail a series of apartments, including a youth accommodation service, an affordable housing component, a public housing component, plus market-based housing, put them all into an apartment block—

The Hon. J.M. Rankine: And a youth shelter.

The Hon. J.W. WEATHERILL: Yes, that's the youth homelessness arrangement—all of that in the one building, which has been a tremendous success. It has demonstrated a new standard about what can be achieved for apartments of this sort, but, frankly, if it had been left to

the usual planning processes I doubt whether we would have achieved the result in the time we achieved it.

Mr Hook, in his role as coordinator-general, approved that development, I am advised by him, and he will play a similar role for the approval of other developments, so that we put these houses on the ground as soon as possible, so that workers are getting work and businesses are thriving. That's what you do if you are prepared to get out there and support an economy, not take your hands off the wheel and just hope that something might turn up.

HOUSING

Mr MARSHALL (Norwood—Leader of the Opposition) (14:25): A supplementary, Mr Speaker: for clarity, can the Premier inform the house how many hours per week he would actually envisage this coordinator-general to be dedicating to this most important task that he has identified for him?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:25): I can't quite follow the chain of reasoning for the Leader of the Opposition. Does he support the coordinator-general's role? Does he oppose the coordinator-general's role? He will be discharging this function in the same manner that he discharged a much larger function—I think about 700 schools in the building program associated with that across Australia, $1 billion of investment. I think there were seven complaints over 700 jobs and I think about four of those were about whether rainwater tanks should have been part of the BER and whether they were in the criteria or not. So, an extraordinarily successful process for such a speedy build.

Mr Hook will apply his considerable talents to be able to ensure that these approvals are undertaken in an orderly fashion. He will, of course, engage whatever assistance he needs as chief executive of the agency. He has the capacity to apply those resources that would be necessary for him to discharge his functions, but he will be making the judgements, just as all senior public servants use other public servants beneath them through the allocation of duties to assist them in their roles. I am sure Mr Hook will have the wherewithal and intelligence to make judgements about how he is supported in his role. It is a smaller function than the one he has discharged, excellently, on a previous occasion, and he is going to have the capacity to achieve this, I think, in a way that will bring benefits for South Australia.

SOUTH ROAD UPGRADES

Mr MARSHALL (Norwood—Leader of the Opposition) (14:27): My question is to the Premier. Why should the public trust the government to upgrade South Road from Torrens Road to the River Torrens when they have promised this project before, only to cancel it?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:27): I think we have canvassed all of these matters on previous occasions. I will go through it all again if you weren't paying attention, but what happened was, when the new federal Labor government was elected in 2007, they chose to undertake a thoroughgoing analysis of the whole of South Road. It was dedicated as a national freight route. They decided that they wanted to partner with the South Australian government. So, rather than just bearing the burden of actually dealing with South Road by ourselves, for the first time, we had a commonwealth partner with a lot of extra fiscal strength to be able to assist us to undertake the works.

It was intelligent and natural to actually agree to the process they proposed, which was to undertake investigations. They gave us a very substantial amount of money to undertake those investigations. The first thing that became very clear was that an easy job to undertake—because it was an industrial area and had a very strong cost-benefit analysis, I think at 1.8—was the South Road Superway. And so we got busy with that quickly, while the other investigations were undertaken of other elements of South Road. What became obvious then, after the work was completed for the Torrens to Torrens section, with a cost-benefit analysis of 2.4 I think, was that this was an incredibly beneficial project and one which recommended itself.

This was obviously a very important and congested part of South Road. We had a different model for achieving this, so investigations were undertaken which came up with a different way of actually achieving that section of South Road—a much less expensive way of doing it. It had a very strong cost-benefit analysis. We then had a commonwealth partner that was up for 50 per cent of

this proposition, and so we obviously made the decision to go with that process. It was an intelligent way of doing it, and it has thrown up a very good result.

DISABILITY JUSTICE PLAN

The Hon. S.W. KEY (Ashford) (14:29): Can the Attorney-General inform the house about how the government is engaging the South Australian community to increase access to the legal system for people living with a disability?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (14:30): I thank the honourable member for her question. Last week, I launched a discussion paper on the government's disability justice plan. We know that more needs to be done to make it safer for people living with a disability to have their voices heard in the criminal justice system. Increasing access to justice for all South Australians is an important priority for the government.

The disability justice plan will include a number of measures: changes will be made to the Evidence Act to improve the way in which the criminal justice system responds to vulnerable victims and witnesses; training programs will be developed for criminal justice system staff, including the judiciary, to ensure that they are employing the best practice when working with people with a disability; and the prioritisation of trials will occur that involve vulnerable witnesses and victims.

The discussion paper poses a number of questions about these measures and seeks feedback on how these should be developed and implemented. The Commissioner of Police has also announced that an additional five highly trained officers will be allocated to work with vulnerable victims who have a communication or intellectual disability. These officers will also educate and train other police officers in assisting vulnerable victims.

It is of the utmost importance that the community engage in this consultation process. We want to hear from disability advocacy groups, the legal profession, police officers and victim support groups and, most importantly, we want to hear from people with a disability who have had involvement with the criminal justice system. Further information about the consultation process and how to get involved over the next two months can be found at www.saplan.org.au/yoursay or simply by calling 8463 4364.

OAKLANDS PARK LEVEL CROSSING

Mr MARSHALL (Norwood—Leader of the Opposition) (14:32): My question is again to the Premier: has he or his government promised the member for Mitchell that the Oaklands Park level crossing will be upgraded, and can the member for Mitchell trust the government when they have promised this project before, only to cancel it?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:32): No.

FOOD SAFETY RATING PROGRAM

Ms BEDFORD (Florey) (14:32): My question is to the Minister for Health—

Mr Marshall interjecting:

Ms BEDFORD: You will want to name someone, I'm sure, sir.

Mr Marshall interjecting:

The SPEAKER: If the leader—

Mr Marshall interjecting:

The SPEAKER: The leader is warned a first and second time; if I hear another interjection from him, he will leave the chamber. Member for Florey.

Members interjecting:

The SPEAKER: I'm sorry, did the leader say something?

Ms BEDFORD: It must have been an echo. Thank you, sir. Can the Minister for Health inform the house about the proposed food safety rating program?

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) (14:33): I thank the member for Florey for the question. Food ratings programs, or 'scores on doors' as they are commonly known, are used in some other states in Australia and overseas as a way of informing the public about the food hygiene standards in restaurants and cafes. The score for each business is calculated using the results of regular food safety inspections undertaken by environmental health officers. This score is then usually represented as a number, letter or star and displayed at the business.

In 2011, the Social Development Committee (of which the member for Florey is a member, and I think had a lot to do with this recommendation) conducted an inquiry into food safety programs. A key recommendation was that a voluntary statewide food safety rating scheme be established in South Australia. Similar programs are currently operating in Brisbane, Sydney, London and Singapore.

The South Australian government is committed to developing a program that can be voluntarily adopted by councils and businesses. The state government will work in partnership with local government and consult with industry and other parties, including consumers, to develop a pilot program. The first step is to complete work currently underway to ensure consistent standards across councils. Once this consistency is in place, work on the design and tools needed to underpin the program will begin.

A 12-month pilot program, as recommended by the Social Development Committee, will be undertaken and assessed before the system is finalised. It is expected that the draft system may be ready to begin with a 12-month pilot program in the second half of 2014.

The government supports initiatives such as 'scores on doors', as they encourage food businesses to comply with food safety regulation and help empower consumers to make informed decisions about the food that they eat.

SOUTH ROAD UPGRADES

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:35): My question is to the Premier. Why did the Premier claim that the cost of property acquisition was included in the $896 million South Road upgrade budget when much of it was not included?

The SPEAKER: The Minister for Transport.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (14:35): Thank you very much. The member for Bragg is confusing properties that we have already acquired with properties that we are going to acquire. I think that is disingenuous and, quite frankly, misleading by the member for Bragg.

Members interjecting:

The Hon. A. KOUTSANTONIS: Sorry, I withdraw 'misleading' unequivocally, sir.

The SPEAKER: Yes, thank you.

The Hon. A. KOUTSANTONIS: It is not accurate, I think, to portray the Premier's remarks as misleading because the member for Bragg is wishing to say that properties that were previously purchased should be included in the current costs of the project, as announced.

Ms CHAPMAN: Supplementary.

The SPEAKER: Supplementary.

SOUTH ROAD UPGRADES

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:36): What is the estimated cost, minister, of the property acquisition for this project?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (14:36): Because the government is an understanding government and a government that is not going to run around telling people what we are going to buy their houses for—we are going through a process—I am not going to stand in the parliament today and predetermine what everyone's home is worth. We are going to get them valued—

Members interjecting:

The Hon. A. KOUTSANTONIS: Hang on a second—we are going to get them valued and once they are valued and we come to an agreement, a mutual agreement, with the people who own these homes—these are their homes, they are not just numbers; they are people who live here in the western suburbs; you might try visiting them sometimes—we are going to be very sensitive about this.

Ms CHAPMAN: Mr Speaker, point of order. To accuse you, sir, of not visiting the western suburbs when you represent them I think is reprehensible and I would ask the minister to withdraw it.

The SPEAKER: The Minister for Transport will be careful with his choice of words.

The Hon. A. KOUTSANTONIS: Yes, sir. We will do this in a considered way. I want to make sure that everyone who is having their properties acquired by the government leaves without a bitter taste in their mouth. In terms of calculating the cost, I am not going to predetermine what someone's home is worth; that is up to independent experts who will determine the value, not me.

TONSLEY REDEVELOPMENT SITE

Mr SIBBONS (Mitchell) (14:37): My question is to the Minister for Manufacturing, Innovation and Trade.

Mr Pisoni: You can't trust them.

Mr SIBBONS: Can the minister update the house on the progress of the Tonsley redevelopment?

The SPEAKER: Before I call the Minister for Manufacturing, I warn the member for Unley for the first time. Minister for Manufacturing.

The Hon. T.R. KENYON (Newland—Minister for Manufacturing, Innovation and Trade, Minister for Small Business) (14:38): I thank the member for Mitchell for his question. He has a keen interest, obviously, in Tonsley—I think a long association with it in its former life and now in its rejuvenation. I recently announced that Colliers International, a global leader in property sales and services, has been appointed the sales agency for Tonsley and is responsible for promoting and discussing opportunities with investors and developers around the world.

Colliers International offers extensive knowledge of international investment priorities and demands, including how a site such as Tonsley might adapt to meet those priorities and demands. The company will work with us to promote this site to state, national and global investors as a platform for innovation, productivity and profitable collaboration.

The announcement of Colliers International shows that Tonsley is open for business with an initial release of 35,000 square metres of commercial and industrial land. The initial release is just a portion of the significant 61 hectare site. Businesses locating at Tonsley will join a cluster of like-minded businesses and high-value manufacturers working in sectors such as the clean technology, mining and energy, green construction and medical technology sectors.

We already have significant foundation site investors. TAFE SA is constructing its Sustainable Industries Education Centre that will house more than 8,000 students and 210 teaching staff per year. The SIEC, as it is known, will become a key site for building and construction training in South Australia. Construction is scheduled for completion in late 2013 and opening in early 2014. Tier5 Pty Ltd is establishing an energy efficient, state-of-the-art data centre on the site—an estimated $113 million of investment—and is expected to commence building soon.

Flinders University is investing $120 million including a new building for the School of Computer Science, Engineering and Mathematics. The development is expected to house about 1,200 students and 350 staff and commence operations in early 2015. Flinders University announced in May that, as part of their development at Tonsley, they will be creating a Flinders New Venture Institute. The New Venture Institute will be a focus for Flinders University's entrepreneurial activities and education that will benefit their business and community partners along with students.

Tonsley will be a focal point of our efforts to transform South Australia's manufacturing sector and build world class industry capabilities, as outlined in our manufacturing strategy, Manufacturing Works.

The on-site commercial launch of Tonsley took place on 6 May and provided an ideal forum to highlight the outstanding opportunities available to commercial, industrial and property sectors at this important Adelaide site. A range of key potential investors and tenants were invited to attend the launch, including advanced manufacturers, mining companies, renewable energy organisations, organisations involved in medical technologies, targeted businesses, industry associations, and higher education providers. I was pleased to invite the opposition spokesperson for manufacturing, innovation and trade (member for Waite) to attend the launch and it was good to see him there.

The state government is committed to supporting and growing an innovative manufacturing sector in South Australia. We are developing Tonsley as a launching pad for South Australian advanced manufacturers to develop and produce high-tech and high-value goods, not just for the local state market and nationally but also internationally.

SOUTH ROAD UPGRADES

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:41): My question is to the Minister for Transport and Infrastructure. Why did the minister claim that the government's South Road Torrens to Torrens upgrade project would have a 'construction period...between two to three years' when federal funding is not finalised for six years?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (14:42): I read the member for Bragg's press release where she said that the minister said it would take two to three years. The part of the quote she didn't include in her press release was the part immediately afterwards where I said, 'It could take a bit longer. It's a very complicated piece of engineering work.'

Ms Chapman interjecting:

The Hon. A. KOUTSANTONIS: Well, that's right. Yes, because the member for Bragg obviously knows better than all road traffic engineers and construction engineers.

Mr PISONI: Point of order, Mr Speaker. The minister is obviously entering debate, referring to the member for Bragg.

The SPEAKER: Since the question is from the member for Bragg, I am not surprised that he is referring to the member for Bragg, but I shall listen to the Minister for Transport to see if he strays into debate.

The Hon. A. KOUTSANTONIS: This is a very complicated piece of engineering. I listened with interest to the musings of certain members who say that they are sick and tired of politicians who make decisions about infrastructure and then in the same breath claim that they know how best to construct road projects. The reality is—

Mr PISONI: Point of order, Mr Speaker.

The SPEAKER: The Minister for Transport will be seated. If the point of order is going to be debate, the answer is no, and you are within a whisker of being warned a second time. Minister for Transport.

The Hon. A. KOUTSANTONIS: We are going to consult. We are going to formalise and finalise engineering and design. We are going to go out to tender. We are going to begin a process that is going to make sure that we deliver this project on budget. It is a very complicated piece of work, so we have to relocate a substation, we have to grade separate a rail line, we have to undertake relocation of people from their homes along South Road. We have to deal with one of the busiest intersections in South Australia, the Port Road-South Road intersection.

Obviously, it is a very complicated piece of work. We can begin work very quickly on other pieces of infrastructure like the Torrens Road intersection, which I am advised can begin work later this year to make sure that we get that intersection completed quickly, and of course we can start work at the Torrens River end near Ashwin Parade in Torrensville and get that intersection started by moving services to improve that intersection. I think that taking comments out of context and trying to make a political argument out of them helps no-one. I will leave it with this one point: we still, to this day, do not know what is the opposition's view on any piece of road infrastructure in South Australia—with less than a year to the election.

Members interjecting:

The SPEAKER: Minister, the opposition's view is not relevant.

SOUTH ROAD UPGRADES

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:44): I have a supplementary question, if I may. Given the minister's answer in relation to the time frame for the project now being two to three years (or it could be a bit longer), will the minister tell us when it is expected that it will be finished, also given that the funding from the federal government will be paid to 2019?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (14:45): I thought everyone knew that Nation-building Funds was over five years. Has it just come to the realisation of the opposition? Has it only realised yesterday and today that Nation-building is funded over a five-year period? I find it stunning that after 11 years of opposition, with less than a year to the election, the opposition still does not know how federal funding works. This just shows the level of laziness and ineptitude of members opposite. Make a decision.

Members interjecting:

Ms CHAPMAN: Point of order, Mr Speaker.

The SPEAKER: Is your point of order that that was debate?

Ms CHAPMAN: Clearly, this is debate, yes.

The SPEAKER: Yes, I agree with you.

SOUTH ROAD UPGRADES

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:45): I have a further supplementary.

The SPEAKER: You have a further supplementary, deputy leader?

Ms CHAPMAN: Yes. Thank you, sir, if I may. Minister, given that at the federal estimates this year it was confirmed that of the money that the federal government is paying to this project, which is $96 million only in the first three years, of the $448 million that it is committing out of its identified hundreds of millions of the balance to be paid out to 2019, can the minister confirm if the funding for this project from the state government will be financed to finish it in two or three years?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (14:46): I am not going to pre-empt the budget. I am not going to answer questions about the budget. The budget will be released on Thursday by the Premier and, when it is released, people will have a greater understanding.

I think what is becoming very, very clear is that there are two sides to this issue: there are those of us in South Australia who wish to see this upgrade proceed and then there are those who wish to see it cancelled. This government stands on the side of those who wish to see it proceed. The Leader of the Opposition doesn't want to see it proceed.

MINING INDUSTRY

The Hon. L.R. BREUER (Giles) (14:47): My question is to the Minister for Mineral Resources and Energy. Can the minister inform the house about how the Premier's recent trade mission to China has helped to foster investment in the state?

Mr Pengilly: Stick to the script, Tom.

The SPEAKER: Minister for Transport—and the member for Finniss, alas, is warned a first time.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (14:47): Are you here today? I didn't notice.

Members interjecting:

The SPEAKER: Could the minister return to the substance of the question.

The Hon. A. KOUTSANTONIS: I thank the member for her question and her keen interest in South Australia's resources industry—a great advocate of that industry. I am pleased to inform the house that the state resources sector continues to provide opportunities for our towns, cities and communities. From 2002 we have seen this sector transform, a transformation that has been driven through the hard work of local industry, a diligent Public Service and the supportive policies of this government.

Today we hear the news that one of our next major projects is taking a giant leap forward from discovery to development. I am pleased to see that Rex Minerals has announced that it has signed a non-binding EPC and financing memorandum of understanding with China Nonferrous Metal Industry's Foreign Engineering and Construction Co. and its Australian-based subcontractor. Managing director Mr Mark Parry said:

> We are extremely pleased to start what we consider to be a long-term relationship with NFC from China. NFC is a major, highly experienced construction company with a history of successfully building processing plants around the globe.
>
> We believe NFC's experience and the link with an Australian construction company in Arccon, will be an important formula for success as we advance the Hillside Project towards production.

Rex Minerals is currently undertaking a prefeasibility study for a large open-cut copper mine at Hillside with infrastructure links to Ardrossan and is working with DMITRE to progress towards a mining lease application. Historically, Rex's exploration approach has been highly professional, with excellent environmental rehabilitation practices and good relationships with the majority of landholders impacted by the exploration program.

I am also pleased to inform the house that Mr Parry has confirmed to me that the Premier's recent trade mission to China was pivotal in developing this deal. He said, in particular, that meetings that we attended with him showed the investors that Rex's Hillside project had the full support of the South Australian government. Indeed, in those meetings I expressed bipartisan support for this project. The member for Goyder has been a passionate advocate for this mine, and for sustainable farming to coexist with this mine, and he has been a great advocate for the local farmers as well. I also welcome the support of the new shadow minister.

This highlights the importance of the state government's role in promoting our local companies and fostering investment in this state. This government and Rex Minerals recognise the importance of the government's partnering with the industry to foster development and forge partnerships, especially with our largest trading partner, the People's Republic of China.

CHILD PROTECTION

Mr PISONI (Unley) (14:50): My question is to the Minister for Education and Child Development. As the chair of the Child Death and Serious Injury Review Committee said last week in relation to the 'house of horrors', 'Our job is not to look for: did anybody do anything wrong?' will the minister explain whether any review has been conducted to see if anybody did do anything wrong?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:51): Just to finish the quote of the chair, she in fact said:

> Our job is not to look for who did anything wrong, although we certainly would have said so if we had made such an observation.

The Child Death and Serious Injury Review Committee had access to something like 200 documents, and its conclusion was that not one person nor one department had the entire picture about this Parafield Gardens family, and the six children who were the subject of the police charges were hidden from all agencies. These people were despicable. They did everything they could to deceive anyone who had anything to do with them. The police conducted a very thorough investigation. Six people were charged and they were gaoled, and rightly so.

The SPEAKER: Before the supplementary, I warn the member for Kavel for the first time. He has been repeatedly interjecting. A supplementary from the member for Unley.

CHILD PROTECTION

Mr PISONI (Unley) (14:52): During the Child Death and Serious Injury Review Committee inquiry into the 'house of horrors' case, were any of the people who had contact with the families before 28 June interviewed and, if not, why not?

The SPEAKER: I think that is a separate question. The Minister for Education.

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:53): I will make the point at the outset in answering the member for Unley's questions that we have 21 young people still living in our community, so I think it is incumbent upon us to be a bit respectful in the way that we refer to their families. There are six people who are in gaol—as I said, rightly so—but there are 21 young people out there whom your words can still hurt. The role of the Child Death and Serious Injury Review Committee is to review the processes and practices of the case. That is exactly what it did. South Australia Police undertook interviews with people involved.

CHILD PROTECTION

Mr PISONI (Unley) (14:53): I have a supplementary. How many, then, were contacted—that is, staff in particular, who had contact with the family—and how many were interviewed?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:54): I am sorry; you will have to ask South Australia Police that.

BAROSSA VALLEY MARKETING CAMPAIGN

Mrs GERAGHTY (Torrens) (14:54): My question is to the Minister for Tourism.

Mr Pisoni interjecting:

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

Mrs GERAGHTY: My question is to the Minister for Tourism. Can the minister inform the house about the South Australian Tourism Commission's new Barossa marketing campaign?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (14:54): I thank the member for her question and her great interest in the wine and tourism sectors. Of course, one of the key priorities of this government is premium food and wine from our clean environment. I was pleased to be in the Barossa a couple of weeks ago to launch the latest South Australian Tourism Commission tourism ad, which will go to air in the Eastern States. The hook this year is the Barossa. It's a $6 million campaign, which will be aired throughout the Eastern States on television and in cinemas. South-East Queensland will also be heavily hit in this market.

We want to bring people to South Australia, and we want to make sure that everyone around this nation knows that the food and wine capital of Australia is indeed South Australia. So, the hook is the Barossa, but we want to make sure that they spend more time here in South Australia as well and go to the Adelaide Hills, down to McLaren Vale, up to the Riverland, down to Kangaroo Island, the Coonawarra—all of our wonderful food and wine producing regions.

I know that when the $6 million campaign last year, made by the same filmmaker, was based on Kangaroo Island, we had people turning up in the Barossa, McLaren Vale and, indeed, Adelaide, who had come to South Australia on the back of that Kangaroo Island ad. So, what these ads are doing is making people in the Eastern States take a different perspective, a different look, at what South Australia has to offer, then go online and have a look at the region that's being promoted, but then they are going to take the time to come to South Australia and work out what else they are going to do while they're here.

Nick Cave provided the soundtrack for the ads from his 1994 hit, *Red Right Hand*. There are lots of images there that probably aren't what vegetarians are looking for. We've got the things that South Australia is very well known for in terms of meat and vegetables—all that stuff, as I said, from our clean environment. What we are renowned for now around Australia is the premium food and wine from our clean environment, so we want to carry that over into the tourism sector as well. Some of the feedback that we've had about the ad includes:

- 'Sensual, gritty and compelling, the South Australian Tourism Commission's latest TV commercial offers a new take on our most famous wine region.' David Washington, *InDaily*;
- 'Wow. The new Barossa ad is seriously cool.' Jessica Braithwaite, Channel 10 Adelaide;
- 'LOVING the new #Barossa #Tourism ad @southaustralia! This is cooler than cool.' Councillor Tim Pfeiffer, City of Marion;
- 'Barossa's new ad. Love it!' Australia's Wine Business Magazine.

I know that, on the night that we launched the ad, we had a function for about 40 Barossa tourism operators. They were pretty impressed with it as well and really looking forward to the sort of increase in accommodation, bookings and tourists that we saw on Kangaroo Island last year.

We had a 13 per cent increase in accommodation on Kangaroo Island after the KI ad went to air around Australia last year. We are looking for a similar result for the Barossa this year and, as I said, we want all the benefits to flow out from the Barossa as we attract people from around Australia to come and visit our great state.

The SPEAKER: Member for Unley, do you have a question?

CHILD PROTECTION

Mr PISONI (Unley) (14:57): Yes, I do. I'm waiting for the call, sir.

The SPEAKER: 'The member for Unley' is a reference to the member for the state district of Unley, which I believe you are.

Mr PISONI: I didn't hear, sorry. I do suffer slightly from industrial deafness from my time on the factory floor, sir, so I do apologise.

The SPEAKER: Well, you did stand.

Mr PISONI: In anticipation, sir. My question is to the Minister for Education and Child Development. Who was the expert analyst used by the Child Death and Serious Injury Review Committee to summarise the government's records concerning the 'house of horrors'?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:58): I know that the member for Unley is very keen on his headlines and being able to—

Mr PISONI: Point of order, sir.

The SPEAKER: Yes. Would the minister please address the substance of the question, rather than the member for Unley's motivation.

The Hon. J.M. RANKINE: Sir, his description of the house just continues to cause distress.

Mr PISONI: Point of order, sir: the minister is defying your order.

The SPEAKER: Well, I'm not sure that she is. I'll listen. Minister for Education.

The Hon. J.M. RANKINE: There are 21 young people in our community concerned about this—

Mr PISONI: Point of order, sir.

The SPEAKER: Can the minister complete a sentence and then I can rule whether it's debate or not. Minister.

The Hon. J.M. RANKINE: Thank you, sir. I am concerned for the 21 young people in our community that are subjected to the words from the member for Unley—

Mr PISONI: Point of order, sir.

The Hon. J.M. RANKINE: —but that be as it may—

The SPEAKER: I call the minister to order on account of not addressing the substance of the question. Would the minister now address the substance of the question.

The Hon. J.M. RANKINE: Certainly, sir. I don't have the name of that person but will endeavour to obtain it for the member for Unley, if it's appropriate.

CHILD PROTECTION

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:00): Supplementary question, Mr Speaker: whilst the minister is not able to name the expert who was employed for the purpose outlined in the report, can she assure the house that that person was not an employee of the department?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:00): I do not have the detail of the person. As I said, I am happy to get it if it is appropriate.

OPERATION DISARM

Mr ODENWALDER (Little Para) (15:01): My question is to the Minister for Police. Can the minister update the house on recent initiatives targeted at cracking down on illegal firearms in the state?

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:01): I thank the member for Little Para for this question. I am sure that he is interested as a former SAPOL officer. As the house will no doubt be aware, from the beginning of March this year South Australia Police conducted an illegal firearm reward scheme known as Operation Disarm, which encouraged people to dob in those in possession of illegal firearms.

Operation Disarm wrapped up at the end of April and the results are in showing that SAPOL conducted 150 investigations relating to firearms information thanks to calls received from Crime Stoppers. This resulted in 97 premises being searched and the seizure of 120 firearms; 20 individuals have been arrested, and 14 have been reported for of firearm-related offences. I am pleased to say that illegal firearms are now being cracked down on at the national level as well, with South Australia being part of the national program known as Operation Unification.

This operation is running on a similar basis to Disarm by acting on information provided from the community through avenues such as Crime Stoppers. South Australia is taking the national lead in firearms-related crime, and this can be seen with the commonwealth government urging all states to consider adopting the South Australian model of firearm prohibition orders. The consistent advice that I have received from police on these orders is that they are an effective and targeted law enforcement tool for dealing with firearm-related crime. This government will continue to make community safety a priority and will continue to target firearms offences.

POLICE FUNDING

Mr VAN HOLST PELLEKAAN (Stuart) (15:02): My question is to the Minister for Police. Is there a net funding increase to the police budget over the forward estimates with the $35 million in new funding announced last weekend and the two-year additional delay in the recruit 300 target, and, 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) (15:03): I thank the honourable member for the question. It is clearly a question that will be addressed in the budget on Thursday; it is only a few more days, and he can see how all this has been revealed. I can say that I am very pleased that we have reached the outcome that the police commissioner is happy with, the police minister is happy with and the Treasurer is happy with. It seems the only people not happy with it are the opposition.

VOCATIONAL EDUCATION AND TRAINING

Dr CLOSE (Port Adelaide) (15:03): My question is to the Minister for Employment, Higher Education and Skills. Can the minister inform the house about how successful South Australia has been in having people take up a VET qualification to improve their skills for work?

The Hon. G. PORTOLESI (Hartley—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy) (15:03): I would like to thank the member for Port Adelaide for this important question. I was pleased to see a recent report of the National Centre for Vocational Education Research that showed South Australia is doing very well, in fact, in improving the skills that people need for trades and other jobs in our workforce. This report provides us with information about state and territory enrolments, full-year training equivalents, and other data for the vocational education and training sector. It also provides a snapshot of the apprentices and trainees who are gaining qualifications for better jobs.

Of course, increased skills and qualifications are critically important to increasing our state's productivity, not to mention the benefit they have for South Australians at a very personal level. That is why the state government is investing in further education and training through our very successful Skills for All initiative.

The report shows that in South Australia, for instance, the number of students for 2011 increased by 15.5 per cent compared to a 3.1 per cent national increase. That means that South Australia had the highest growth rate in the nation for VET students. The number of full-year training equivalents increased by 19 per cent, while nationally the increase was 8.5 per cent. South Australia had the second highest growth rate in the nation, with Western Australia recording the lowest. The number of subject enrolments increased by 21.6 per cent. Again, South Australia had the highest growth rate in the nation, with the national increase at 5 per cent.

Can I add that the growth rate for apprenticeships and traineeships has also been positive, with 38,000 apprentices and trainees in training in South Australia as at 31 December 2012, a 7.1 per cent increase over the previous year and higher than the national increase of 1.6 per cent. It is interesting to note that more women than ever were taking up an apprenticeship or traineeship too, with 10,300 commencements, which is an 8.1 per cent increase on 2011—our highest number of females starting training on record.

We also know that this report noted that South Australians are undertaking higher level qualifications at a rate well above the national average. It reflects what we already know about the success of our Skills for All training initiative. We have seen more than 76,000 enrolments in training since we introduced this policy last July. That was a 43 per cent increase in enrolments compared to the same time the previous year. I also take this opportunity to congratulate the more than 140,000 students who undertook further education and training opportunities in the VET sector in 2012 and the thousands of people who are doing so now through Skills for All.

The SPEAKER: Supplementary from the member for Unley.

VOCATIONAL EDUCATION AND TRAINING

Mr PISONI (Unley) (15:06): Could the minister advise just how many of those VET students who have graduated have now got full-time jobs?

The Hon. G. PORTOLESI (Hartley—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy) (15:07): What I can advise with great confidence is that, since this government came to office in 2002, we have created more than 130,000 new jobs. I am happy to provide the data if it exists, but I am sure that many of the 130,000 new jobs have been filled by people from our training sector.

POLICE FUNDING

Mr VAN HOLST PELLEKAAN (Stuart) (15:07): My question is to the Minister for Police. Was the Premier wrong when he said that police recruitment targets could be achieved without new funding and without delayed recruitment, given that the government has now announced $35 million in new funding and delayed recruitment?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (15:07): I can say with some confidence that I don't think the minister thinks that I was wrong. Can I say that I think there was a little mischaracterisation in that question to try and set up the point that the honourable member was seeking to make. What we have been trying to do is achieve two things: that is, our targets to recruit the additional police officers, but also we wanted to hold the police agency to its savings targets.

What we have been able to do is fashion, I think, a sensible compromise where the majority of the savings targets are going to be achieved by the police agency, but at the same time we are going to be able to achieve our recruitment targets, albeit on a longer time line than we had originally proposed. I think it is worth pointing out for those opposite that we actually enjoy in South Australia more than 4,500 police officers. That is more police per capita than in any other state in the nation.

Since 2002, we have actually recruited 816 sworn officers in addition to attrition, and attrition runs at about 150 police officers a year. So, we recruit the 150 each year, and in addition to that we have put on an extra 816. That is an extraordinary achievement. The truth is that under a previous regime we saw numbers fall because there was not recruitment against attrition. We have not only recruited against attrition but grown the police force.

The purposes for which those resources are going to be applied are important and are highly relevant ones: 29 of them will be directed to front-line policing duties and a number of them will be allocated to our neighbourhood policing team in the Holden Hill local service area. An

additional five officers will be applied to this very pressing issue of people with intellectual disabilities and other communication difficulties to ensure that, as victims, they get extra support from police officers.

There will also be a number of officers who will be applied to a dedicated team to deal with those perpetrators who seek to commit crimes against children, in particular, in our child exploitation unit. The additional resources will also allow for the monitoring of high-risk child sex offenders on the national child offender registers. These are important investments. We are proud of the fact that we have been able to maintain our commitments at the same time as ensuring that sensible economies are made to make a contribution to the overall savings task.

Mr VAN HOLST PELLEKAAN: A supplementary question, sir.

The SPEAKER: Supplementary from the member for Stuart.

POLICE FUNDING

Mr VAN HOLST PELLEKAAN (Stuart) (15:10): Given that the Premier's answer about the police recruitment targets, which were to be achieved by June 2014 and will now be achieved by June 2018, is a broken election promise, can the Premier please advise the house of any—

The SPEAKER: No, the member for Stuart will not abuse a supplementary by making a conjectural assertion. I call the member for Lee.

SOUTH AUSTRALIAN SPORTS INSTITUTE

The Hon. M.J. WRIGHT (Lee) (15:11): My question is to the Minister for Recreation and Sport. Can the minister provide details on the status of South Australian Sports Institute's rowing and associated programs and the impact they have on the outstanding performances of our high-performance athletes?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (15:11): I thank the member for Lee for his question and his great involvement in sport throughout his time as opposition sports spokesperson and then as the minister for sport and recreation. In fact, we can give thanks for the great results that we are getting in rowing and sprint canoeing to initiatives that were put forward during the member for Lee's time as minister for sport.

The South Australian Sports Institute rowing, canoeing and kayaking programs are based at the AM Ramsay Regatta Course at West Lakes, which is also the home of Rowing SA and many of our top rowing clubs. In 2007, the state government announced $2.4 million in funding to upgrade the course to national standard. All major works were delivered by 30 June 2009. The upgrade resulted in an enhanced training and competitive environment for high-performance athletes with installation of a new lane cabling system and starting and finishing pontoons. The upgrade also saw a safety improvement for recreational users by way of a fully buoyed course.

It is now used frequently as a training base for national crews in both canoe sprint and rowing. It contributes to the high-performance rates of our athletes, together with the development of coaching and support staff. SASI is presently hosting national crews in both canoe sprint and rowing in preparation for the European summer and world championships. SASI head coach, Nathan Luce, last week hosted the Olympic gold medal-winning men's K4 for a training camp at West Lakes. He was the coach of the crew at the 2012 Olympic Games and performs the dual role of national team coach and SASI head coach.

The camp at West Lakes is a critical part of their preparation for the forthcoming European world cups and world championships. SASI sports science staff have been working with Luce and the K4 crew, monitoring training responses and helping finetune the athletes' preparation. SASI's head rowing coach, Jason Lane, is also coaching two senior national team crews at West Lakes in the lead-up to the world championships to be held in Korea in August. Lane is coaching the men's pair, made up of two SASI athletes, Bryn Coudraye and James McRae. This team won the national championships in Sydney and are the first SA pair to win the national title in more than 30 years. They won silver in the world cup held in Sydney and are now in training for the world cups in Eton and Lucerne.

As someone who lived in Lucerne for a couple of years, I can say that this is one of the big sporting events in Switzerland each year and that the Australians have always done very well there. It is always a great hit-out before the world championships, and I am sure that the work that they have put in down at West Lakes will serve them well by the time they get to Europe for the summer competition over there.

SASI is presently hosting the women's quad, for which Lane is the national team coach. This crew is stroked by young South Australian Olympia Aldersey, and includes three athletes from interstate. The young quad crew won gold at the World Cup in Sydney, and they are ambitious to secure team selection and medal-winning potential for the Rio Olympic Games in 2016.

The SASI and West Lakes rowing course combination are world-class. South Australia continues to shine in a number of sports, and our very best wishes go with these young people, who so proudly represent their state and country on the world stage. I am sure that everyone here, by the time the Olympics come around in 2016, will be tuned in to their televisions to cheer them on, but, all the while, we will be watching for a couple of weeks—

The SPEAKER: I think the minister has offered more than enough information, thank you. Member for Heysen.

MAGISTRATES

Mrs REDMOND (Heysen) (15:15): My question is to the Attorney-General, and you will be glad that you have given me the right to ask it. Can the Attorney-General assure the house that the impending retirement of Deputy Chief Magistrate Cannon has played no part in the timing of the commencement of the courts efficiency reforms bill?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (15:15): The courts efficiency reforms bill—I am not exactly sure which one the honourable member is referring to, because there have been a number, but the—

Mrs Redmond: The age of retirement.

The Hon. J.R. RAU: Yes; the position is that there was a bill intended to contain both retirement age arrangements and arrangements for discipline of magistrates. An amendment to another bill was moved, I think by the member for Adelaide, which put those two pieces of legislation out of sync. It is intended, when the other piece has been dealt with—and that is in the hands of the opposition and others—that it will be proclaimed.

Ms CHAPMAN: Supplementary—

The SPEAKER: You cannot have a supplementary after the bell has gone.

CHILD PROTECTION

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:17): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.M. RANKINE: Sir, in response to a question asked by the member for Unley today, I can advise that the government gave the Child Death and Serious Injury Review Committee extra money to hire an analyst in relation to preparing their report. They hired someone, I am advised, from interstate who was not and is not a department employee.

RAW MILK

The Hon. T.R. KENYON (Newland—Minister for Manufacturing, Innovation and Trade, Minister for Small Business) (15:18): I table a copy of a ministerial statement relating to raw milk made earlier today in another place.

FISH AND MARINE ANIMAL DEATHS

The Hon. T.R. KENYON (Newland—Minister for Manufacturing, Innovation and Trade, Minister for Small Business) (15:18): I table a copy of a ministerial statement relating to fish and dolphin deaths made earlier today in another place.

GRIEVANCE DEBATE

GOVERNMENT APPOINTMENTS

Mrs REDMOND (Heysen) (15:18): It is my pleasure today to rise to talk about this government's interference in the courts—the political interference of this government in the court. It is certainly consistent with their behaviour across a range of areas. First of all, can I say: they think nothing of making entirely inappropriate appointments. I am not just going to stand here and talk in rhetoric; I will give you specific examples.

Firstly, let us have a look at the appointment of Jeremy Moore as president of the Guardianship Board. Who is Jeremy Moore? A nondescript solicitor from Strathalbyn who happened to be a failed Labor candidate. He gets appointed to be the president of the Guardianship Board above a young woman who was the acting president for eight months, who did not even get interviewed for the job. She then had to help him to do the job, because he knew nothing about it. He was completely unqualified for it, but, at a cost of a couple of hundred thousand a year, this failed Labor candidate was appointed to that job.

An honourable member: Jobs for the boys!

Mrs REDMOND: Not just boys; remember Robyn McLeod, former water commissioner for South Australia? Who was she? A failed Labor candidate from another state. What about Mia Handshin and her appointment to the chair of the EPA? No qualifications and no relevant experience, but she was appointed to chair the EPA. Who was she? A failed Labor candidate.

Now not only can they make entirely inappropriate appointments, but they can certainly play favourites, and everyone would remember Ken MacPherson. Ken MacPherson was the auditor-general and he reached retirement age and when he was coming up to retirement age, this government sought to put legislation through the other place to allow the auditor-general—not all auditors-general, but just this one, Ken MacPherson—to stay beyond the age of 65.

That legislation got killed so what did they do then? They appointed him as the acting Ombudsman. Now the legislation for the Ombudsman said that the Ombudsman's retirement was also to be at 65 but, notwithstanding that, they still had him as the acting Ombudsman for, I think, some 18 months and then when that was finished—boy, he must know where things are buried—he then did the Burnside council inquiry.

They also on that side of the house make a lot of noises about understanding conflict of interest, but their behaviour makes it clear that either they have no understanding of conflict of interest or, if they do, they simply do not care about it. Can I give a couple of examples there? Firstly, John Rau on 891 this morning—

The SPEAKER: The member for Heysen will be seated, no time on. The member for Heysen will not refer to the Deputy Premier by his Christian name and by his surname. I believe the member for Heysen did it deliberately in violation of Standing Orders and she will apologise.

Mrs REDMOND: I apologise, Mr Speaker; I absolutely meant the Deputy Premier, member for Enfield, who on the radio this morning was trying to justify the financial interests that a member of the planning department has in Connor Holmes who, of course, did the wonderful approval of the Mount Barker redevelopment that has been so contentious. Then, of course, not to forget Sandra De Poi who was not only in a relationship with a member of parliament and who was on the WorkCover board herself, but as a member of that board was the recipient of by far the largest share of the rehabilitation contracts that were awarded by the government.

This government is nothing if not good haters; and this parliament has recently passed the Courts Efficiency Bill which was to come into force on 1 July. The Attorney-General has decided, with no obvious explanation, to commence most of that bill but with a couple of exceptions from 1 July. In particular, there is a provision which increases the retirement age for magistrates to 70 in line with the retirement ages of judges of the District Court and judges of the Supreme Court. Why on earth would you want to delay that particular provision?

I will tell you why: because the Attorney-General, I think, is playing the part of monkey to someone else's organ grinder. The former attorney-general is playing the tune. The current Attorney-General is apparently acting at the bidding of the former attorney-general who is being heard by highly regarded people in the legal profession stating, indeed almost boasting, of his intentions to prevent Deputy Chief Magistrate Andrew Cannon from retaining his position beyond the age of 65.

As it happens, Dr Cannon will turn 65 fairly shortly, but by delaying the commencement of that section, they forced Dr Cannon into retirement. Why would you want to do that? After all, he is a highly regarded person, not just in Australia and I have been to conferences around Australia where he has been highly regarded by the people at the conference. Indeed, he is just back from Germany where he was invited to go over there and teach the judges about doing their jobs. He has been on the bench since 1969 and he has—

Time expired.

ASBESTOS, SCHOOL

The Hon. P. CAICA (Colton) (15:23): On 16 May, I believe, there was a Channel 7 report regarding asbestos in several schools and one of those schools happened to be my school—Henley Primary School. It was a little bit of a concern for me; that is my old school. I contacted the principal the next morning to see what was going on. Interestingly, I had read a newsletter of theirs earlier in the year where they had reported that asbestos had been removed during the school holiday period, and he said, 'This is a nonsense; I don't know where this has come from.'

There were other schools that were reported in this news transcript as well: Craigmore High, Hallett Cove South, Henley Beach Primary School, as I said, Adelaide High and a school in Whyalla. The information had been provided to Channel 7 by the member for Unley. I read his press release and in researching this, the only accurate piece of that press release was the quote of the Minister for Education. Other than that, it was all fabricated information based on his perception of information that he had got that was not based in fact.

In fact, again, the member for Unley FOI'd the wrong information and then based this story on asbestos that was completely wrong. What Shane Misso, the Principal of Henley Primary School, undertook to do when I rang him that morning—in fact, he had already made the decision—was to write to all the parents to ensure that they knew what was correct, that there was no safety issue at that school. It was more work than he had to do but he had to do it because of the concerns that were expressed to him by the parents.

It was completely and utterly outrageous, and what annoys me more than a little bit is that the member for Unley's ill-conceived actions happened during the week of the NAPLAN tests as well. It caused massive disruption to teachers and students, and parents who were understandably worried about their children. I, too, as a parent—although my kids are a lot older now but went to schools in that area—would be worried if unsubstantiated reports, which were fed through to channel 7, were promoting health risks to students at that school.

He did not have (and does not have) the asbestos register. He FOI'd the wrong document from the wrong department, and it just goes to show that his attention to detail leaves a lot to be desired. Notes were sent from the majority of the schools that were named in that media report and, in fact, channel 7 corrected the record and said, 'We based our report on wrong information,' wrong information that was provided by the member for Unley. They actually apologised, and I think it is about time that the member for Unley did the same thing.

How could anyone believe anything the member for Unley says? This is a man who destroyed the leadership of the member for Waite, convincing all around him that the dodgy documents from the Church of Scientology were legitimate. This is a man who continually calls for the removal of government ministers because of what he says in his media release that he believes they have failed, their casual approach to things, the Weatherill government's sloppy reporting, the Weatherill government's amateur hour, and how Premier Weatherill needs to take action. Well, action does need to be taken but the action that needs to be taken is by the Leader of the Opposition. The only thing that proves to be accurate, as I said in the press release, was the quote by the Minister for Education.

Action needs to be taken. It needs to be taken by the Leader of the Opposition. The rest of the press release was fabricated as a result of the member for Unley's lack of attention to detail regarding the facts. As I said, he FOI'd the wrong information. Action needs to be taken. The Leader of the Opposition should immediately—and I stress immediately—call on the member for Unley to apologise for his asbestos school blunder to the schools, the principals, the teachers, the students, the school community. If he does not apologise, he should be removed.

Not to apologise, and for the leader not to ensure that he apologises, only means that the leader condones that type of behaviour and that is the type of behaviour we can expect if they win the election in 2014. I, for one, am going to make sure that does not happen because we deserve better than to have a person like the member for Unley who will do and say anything that is not based in fact and frighten great tracts of our community.

Even yesterday, there was a report on the radio about TAFE, and it was something that talked about a study that has been done on TAFE. I do not know the accuracy of that either. It talked about things that are not being done in TAFE to the proper effect. Anyone listening to that will have trouble believing what it is that the member for Unley says. Now, I do not know whether or not it is true but I would be interested to know whether or not he actually has it right. It is vile

behaviour, the Leader of the Opposition has to correct that and he does that by making sure the member for Unley apologises.

Time expired.

KERNEWEK LOWENDER

Mr GRIFFITHS (Goyder) (15:29): I certainly hope that everything I say is true and correct record then, given everything I have heard!

An honourable member interjecting:

Mr GRIFFITHS: Well, and I do try to talk factually all the time. What I am about to talk about today is about the Kernewek Lowender, which means 'Cornish Happiness'. For us it is a festival that is held on the Copper Coast (Kadina, Wallaroo, Moonta) every second year, and proudly this year it celebrated 40 years since it first started. It was a great opportunity for the people to come together to celebrate such an important aspect of their community's history.

The Kernewek has a very strong link to Don Dunstan. It was he who visited in the early 1970s looking for an opportunity for the then Labor government to support a program to help that Copper Coast area. Don Dunstan, member for Norwood—and I think that is what his electorate was called then—promoted that idea and the community has run with it, and every two years when it has been held it has been an absolutely outstanding success. It has been a testament to those people who have put so much into making it happen.

It has allowed people not just to dress up and get the old clothes on but to respect what put them there in the first place—their very strong mining heritage which, in the case of this community, goes back about 154 years, when mining started. The Cornish people were identified as the people across the world with the absolute key skill set needed to maximise it, and they came in their thousands and lived, worked and died there; sadly, too many young kids dying because of some terrible epidemics. It is just wonderful to see the heritage that still lingers on and the old buildings that really have a link back to the Cornish Festival—it is a credit to them.

In the week of the Kernewek Lowender there are things like an arts soiree, a pasty-making competition, book launches, and Welcome to the Bards, who are the elders of the Cornish community who come from across the world to a function at Wallaroo on the Saturday afternoon for the official welcome held for them, much of it in the Cornish language, which I wish I could understand.

There were the Kernewek Players, concerts, as well as History Month displays, quilting displays, and Cornish language lessons, which was wonderful, especially for those who have Cornish linkages. The member for Flinders has noted to me in the past that he wants to make sure he gets there next time so that he can take part in the strong man competition—I think that was his one—

Mr Treloar: Cornish wrestling.

Mr GRIFFITHS: Cornish wrestling—because he has a Cornish background. We had the Blessing of the Waters and also Dressing the Graves, when respects are paid to the forebears who have passed away. Many of those graves were unidentified and now plaques have been put on them so that people can respect them forever.

I am pleased to confirm that the Hon. Jay Weatherill, the Premier of South Australia, was there on the Friday afternoon for the official opening. He did a great job and was welcomed by many people, and many rushed up to shake his hand and congratulate him. I commend him for being on the Copper Coast and thank him for that.

There was the Moonta Parade and a street party, and I had the opportunity to ride in a 1929 Studebaker, a beautifully restored car, and drive through the main street. On the Saturday, there was the Village Green Festival at Kadina, with 117 stalls and maypole dancing on both days. I had the opportunity to do the Furry Dance on the Saturday, which I thought was rather boring after a while, but there are a lot of people who stand around and watch it. It requires a lot of repetition. My distraction was looking at my wife—I was distracted because she is too beautiful for me to look at.

Thousands of people were sitting watching, and we had to go up the street and back again, making sure we were all in step, wearing our hats and tails and dressed appropriately. The ladies were dressed beautifully, and it was an absolute credit to them. The number of people who went to

the effort to dress in their finery, as people would have 140 years ago or thereabouts, was an absolute credit to them. Wherever you went you could see little kids dressed in little waistcoats and short long pants—it was wonderful.

On the Sunday, the Cavalcade of Cars had about 380 vehicles participating. The absolute record that I am aware of over the last 40 years is 851 cars. The member for Schubert, Ivan Venning, drove us around in his 1912 Hupmobile. We had to stop only once to put water in the radiator, but we also had to tow it to start it because it had not been driven for the last two years. This vehicle was made in the same month that the *Titanic* sunk, so the connection with history is rather interesting. We cruised along at about 60 km/h, and we were at the front until we had to stop to put water in the radiator. It was a great chance to see the amazing amount of effort that had gone into restoration of some of the vehicles.

I absolutely congratulate Paul Thomas who, in addition to being mayor of the council, has been the chair of Kernewek Lowender for 15 of the last 17 years. He and his wife, Kathryn, are wonderful people. Congratulations also go especially to Rosemary Cock, the executive director, who, for her first time, did a wonderful job putting the program together. I commend all the people involved in it.

RECONCILIATION WEEK

Ms BEDFORD (Florey) (15:34): I acknowledge this parliament meets on the traditional lands of the Kaurna people and acknowledge elders past and present. It was a pleasure to be involved in a few of the many activities in this year's Reconciliation Week calendar. Monday saw a packed house at the Adelaide Convention Centre attend the annual Reconciliation SA breakfast. Unprecedented demand saw over 400 people gather to welcome three of the four original Sapphires—Beverly Briggs, Laurel Robinson and Lois Peeler—'in conversation' after performing with other great artists to celebrate the 46th anniversary of the 1967 referendum.

It was great to see so many regular faithfuls and many newcomers who had come along for the very first time. Among them were the South Australian poster girl for the 1967 referendum, Shirley Peisley, a good friend to the reconciliation task force in our Florey area, and Lowitja O'Donoghue and her late sister's daughter Deb. Reconciliation SA's co-chairs Robyn Layton and Florey constituent Peter Buckskin are to be congratulated, as are Reconciliation SA staff, ably led by Mark Waters, for such an outstanding event.

In looking at the success of the morning, it reminded me how much we owe the pioneers of Reconciliation SA, who worked for many years without resources and recognition, among them some of the earlier holders of the co-chair title—Lowitja O'Donoghue herself, the late Ted Mullighan, Shirley Peisley, Jan Chorley and the hardworking former EO of Reconciliation SA, Trish Cronin, who was also at Monday's event. The campaign for constitutional recognition is well underway in this state, and Premier Weatherill is to be commended for his early embracing of the concept and the backing both he and minister Hunter and former minister Caica continue to provide to this important initiative.

On Tuesday evening, I attended the Don Dunstan Foundation's Annual Lowitja O'Donoghue Oration. This year's speaker, Olga Havnen, spoke on Healing the Fault Lines: uniting politicians, bureaucrats and NGOs for improved outcomes in Aboriginal Health. Olga was passionately introduced by Tanya Hosch, and is the former head of the Aboriginal and Torres Strait Islander Strategy of the Australian Red Cross. She has held a range of senior public and non-government sector roles in her long career in Indigenous affairs, including deputy director of the Northern Land Council, principal policy adviser with the Office of Indigenous Policy in the Northern Territory Department of the Chief Minister, and manager of Indigenous and International Programs at the Fred Hollows Foundation. She grew up in Tennant Creek and is the daughter of Aboriginal educator Peg Havnen, and told stories of her youth and introductions to the issues she now so wonderfully champions. A musical ending led by University of Adelaide's CASM choir rounded off a night that left all present invigorated and hopeful of one day 'overcoming'.

On Friday, the Aboriginal veterans' commemoration service at North Terrace's War Memorial was emceed by David Rathman, who led attendees through a service held in intermittent and light driving rain. The speech by Professor Roger Thomas about his ancestor Arnold Thomas was very moving and a fitting tribute to a man whose life was spent mostly without family resources before an outstanding period of service to his country. The importance of this service on the veterans' calendar was reinforced by the number of dignitaries and members of the public and parliament who attended. Many laid tributes of books which are distributed to the community.

It would be remiss of me not to mention the Boer War service held on the preceding Sunday (I think that was 26 May) which honoured those who took part in South Australia's first war effort. This year, it was part of History SA's About Time History Month, and it was good to see councillor Brian Goodall from the City of Salisbury there. The wonderful monument on the corner of King William Street and North Terrace is actually modelled on his ancestor, George Henry Goodall. The state association is looking forward to reinvigoration, and will go from strength to strength if the amount of interest shown on the day is anything to go by. I look forward to working with them on the history of Leonard Warburton Matters of the fifth, brother of our international suffragist Muriel Matters.

Later that morning saw the innovative sod turning at the Torrens Parade Ground for the Aboriginal and Torres Strait Islander Memorial. I say 'innovative' because extreme inclement weather saw innovations at the ceremony implemented and successfully incorporated in what was a very moving morning for all involved.

Attended by many dignitaries (among them, Marj Tripp, Lowitja O'Donoghue and fundraiser Sir Eric Neal, who was accompanied by Lady Neal, and Bill Denny, who is a stalwart servant of the Aboriginal and veterans communities in this state) minister Snelling gave a fantastic speech that was enthusiastically welcomed by all in attendance. Many important guests were there—Auntie Shirley, Auntie Monica Whitman, and Peter Goers, who is another person who gives so much to the veterans throughout this state.

This is just a sample of the events of this very special week, and I would like to end by noting the passing of Hazel Hawke, who did so much for so many in her time as First Lady, and before and after that in her service to the nation. Her death saddened all who knew of her. In my electorate, she is fondly remembered by the community, especially people associated with the Lurra Community Child Care Centre, which she actually opened in 1986. 'Lurra' means 'nest' and the centre has a strong commitment to Indigenous learnings. It was good to meet with Robyn Geisler and parents and children when the Premier came to Florey last week.

LYRUP PRIMARY SCHOOL

Mr WHETSTONE (Chaffey) (15:39): Today, I rise to speak about a small school which is basically across the road from my home—Lyrup Primary in the Riverland—and the anguish it is causing a small township at present. Lyrup Primary School was opened in 1895 and, to celebrate the institution's centenary recently, there were more than 400 people in attendance. This is a school of rich history and it has been an extremely valuable asset to the local community.

It was sad to see the doors close at the end of last year, as decided by the school governing council and the parents of only five students remaining. The community was disappointed to lose an important icon to the town; however, the community rallied together and called a meeting on 3 December 2012 where they came up with a proposal to purchase the school site to develop a caravan park and backpackers' accommodation. The community cited that such a development would be economical on the Lyrup Primary School site and would provide much-needed central facilities for seasonal workers. The proposal would also positively benefit the communities through increased visitor numbers.

In a letter to the Department for Education and Child Development in December, the community was told that 'it is anticipated that Lyrup Primary School will be declared surplus to the requirements of the department early in 2013' and be referred to Renewal SA. While providing in principle support for the proposal, Renmark Paringa council stated that it had had several approaches to develop backpacker-style accommodation over the past 18 months.

However, this all remains in limbo as a number of key assets have been removed from the site since the school was closed. The education department told the school's governing council that facilities within the building would be removed but all other infrastructure would remain, yet the community has witnessed sheds and playground equipment being removed. This playground equipment was purchased and installed from money raised by the community and the school but was pulled out by a contractor who has it sitting in his backyard.

According to DTEI, some buildings and playground equipment were removed to minimise vandalism and the attraction to people entering the site and it may take up to two years to sell. As the former primary school site is being gutted by the government at present, it is becoming less and less attractive to a potential buyer. This lengthy process to have the site put on the real estate market may deter potential buyers who have already expressed interest.

To date, the government has not understood that Lyrup is a small community, and its businesses rely on people coming into town. Turning the former school into accommodation is a perfect opportunity to help out Lyrup and its small-business sector but, sadly, the former school is becoming an empty shell and it will potentially become a site for vandalism. I have written to education minister Rankine twice with no response. I was told that the issue was being dealt with by infrastructure minister Koutsantonis, who I am yet to hear from.

The Lyrup Primary School is a community asset but, if the facility is stripped bare, it will no longer be attractive as an asset to a potential buyer. There are also concerns that the site could become a target for vandalism and, as I have said, in its current state, it could also be a site for squatters and vermin animals, because it is almost in a state where it is just a bare, empty shell. The Lyrup Community Club submitted a proposal to the council to develop that school into a caravan park or backpacker accommodation.

To date, there has been no direction for that school to become a part of that community once again. It is an asset. It has been there since 1895, as I have said, and it has rich history. It has the old limestone building that is sitting there, looking almost at the point of being derelict. Again, I am saying that the Lyrup Primary School needs to be addressed. The issue is not being dealt with. Both the education minister and the Minister for Infrastructure are ignoring the plight of that community.

Similarly, we have the Loveday Primary School, which is going to close its doors at the end of this year as well. Sadly, it only has eight students enrolled at present. The school is 90 years old and has six staff who will be affected by the closure. Again, that school needs to be put on the radar. We need to be able to keep that as a community asset. Whether it can be used as part of the water museum, whether it can be used as part of the Loveday internment camp, it must be kept as a regional asset.

MILLSWOOD RAILWAY STATION

The Hon. S.W. KEY (Ashford) (15:44): The campaign has begun again in Ashford, and in this case I refer to the campaign to reopen the Millswood railway station. The station was closed in 1995 despite strong opposition from residents, commuters and also businesses. The then Liberal government would not listen to the community.

Ashford is awash with change—five infrastructure projects—and the recent confirmation of the development of the Wayville railway project, reported via the Public Works Committee, is certainly a welcome initiative. Even so, the Millswood railway station is on the Adelaide to Belair railway line and 5.9 kilometres from the Adelaide Railway Station. The Goodwood Railway Station, I am told, is five kilometres from the Adelaide Railway Station and the Unley Park station is seven kilometres. I am also told that trains stopping at the Millswood railway station would add less than one minute to the total journey time between Adelaide and Belair.

Constituents argue that by opening up this station not only would it assist the local businesses but it would provide access to stations up the line, e.g., Mitcham, Blackwood, Belair, including the State Flora Nursery and the recreational facilities at Belair National Park. In this house, I presented a petition calling on the Rann government to reopen the Millswood railway station mainly from residents who lived in the electorates of Ashford and Unley.

Ashford constituents, especially those living along our five infrastructure projects, have a log of claims for improvements both while the projects are being undertaken and in the aftermath. This list includes proper community consultation, although I must say that things have certainly improved over the past few months in regard to community consultation; it is still not perfect, but it is certainly a big improvement. The list also includes noise, not only now, while the infrastructure projects are happening but also afterwards, when the projects are finished. It also includes vibration problems. As people in this house would know, a big underpass is also being dug at the moment. Traffic management is a real difficulty, particularly with roads being closed and also not having the trains running at the moment.

The list also includes health and safety, especially in regard to soil contamination. Some real concerns have been raised about the fact that rail corridors for the last few decades have used a weedicide that contains arsenic, and this is an issue all around Australia and certainly one that has been raised by local people. It is also includes trees and landscaping, the beautification of the area. One of the things that we would like to see is that the area looks better after these projects are finished.

There is a real call, which I must say I have been very much involved in, for community arts projects so that we do not have just infrastructure but also an opportunity for the community to be involved in things like noise abatement and making the area look a lot greener. Other issues include joined bikeways and pedestrian walkways, lighting and security, and the big issue at the moment in my office is reopening the Millswood railway station.

STATUTES AMENDMENT (FINES ENFORCEMENT AND RECOVERY) BILL

Adjourned debate on second reading (resumed on motion).

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:49): The community service amendments and court imposed penalties, the existing court considerations of whether the defendant would be unable to comply with a pecuniary order, and whether compliance with the provisions would unduly prejudice the welfare of the defendants, continue to apply. However, clause 7 of the bill amends the sentencing act to include a provision that the court is not obliged to inform itself of the defendant's means when imposing a penalty.

In addition, the court would also now be able to consider the potential for flexible payment options, such as penalty by instalment, when imposing the penalty. There is also some provision in respect of community service hours, which reduces the maximum number of community service hours to which a person can be sentenced from 320 hours to 300 hours, and reduces the minimum threshold from 16 hours to 15 hours, again to fit more neatly into the standard working hours.

The transitional provisions are noted, so that the enforcement provisions will apply to all existing debts and, as we know, there are a very substantial amount of those. The bill also makes provision for a massive increase in penalties for driving unregistered and driving uninsured. People can be liable for a fine now of up to $1,750 under this bill. There is a proposed increase in the expiation fee for driving unregistered from $315 to $1,000, and $582 to $1,500 for driving uninsured. There will be some regulations in respect of the cost scales, and I will not detail those.

The consultation is a matter of concern to the opposition, as usual. As has become common practice for the government, the consultation here has been quite selective. In this instance, the government has consulted with the courts, SAPOL, cabinet agencies and local government, all of which is entirely appropriate. However, those who represent the homeless, the unemployed and the poor in our community—for example, representatives of the South Australian Council of Social Service, the Aboriginal Legal Rights Movement, the Law Society, the Bar Association—appear to have been completely ignored.

I have today received a submission from the Legal Services Commission, which I am going to refer to shortly, because they have presented a very powerful case to us that this legislation may be well intended, but it will affect the most vulnerable and the most financially pressed in our community. They have expressed a number of concerns, which we will place on the record.

The other aspect is that the powers of these new officers are only to apply to debts owed to the courts and police. However, the question I think in the future is whether the government will be leaving it open to use this as an agency for debt collection for all other government agencies. It gets back to this question of the state taxation office and debt that may be owed to them, for example, and whether they are going to be called in to be an army of debt collection, and all of this streamlined process being not just for fines—for penalties that have been applied for some illegal or improper conduct—but in fact for the civil recovery of debt owed to the government.

A major concern also arises because of this question of onus of proof on the defendant in a number of instances. I have referred to some of them in this contribution. We on this side of the parliament have consistently expressed our concern about that and, again, the prejudice that that would impose in this swathe of legislation is no less applicable in these circumstances.

Of the submissions that we have considered from December last year, I wish to place on the record some concerns raised by a number of councils. Local government is an agency or a level of government that has a significant role in enforcement of their by-laws and actions, and they are an enforcer of those, of course. Largely, they have had powers to impose fines for breaches, and they have raised a number of concerns. The LGA itself has raised a number of concerns. I will say that, almost universally, there was a concern raised about the very short time that consultation was allowed on this bill.

Nevertheless, the principal complaint, it seems, is that the negative impact on councils of this type of legislation, by introducing a new law where really an army of public servants are going to have responsibility to manage and to disallow or to provide exemption for a large amount of

money, is that the revenue from councils will be adversely affected. That negative impact on the bottom line for councils is a repeated theme through the submissions that they raised. I will just read one from the City of Charles Sturt:

> While there are four areas of principal concern, the charges relating to the issuing of reminder notices on behalf of all councils within the state is our major concern. The City of Charles Sturt alone issues approximately 18,000 expiation notices with fees related to the reminder notices funding the provision of community safety services and their administration. Should these funds be lost, it is likely that services in our community will be affected with a potential public safety impact being predicted.

A further quote, again, demonstrates a common theme in the submissions:

> It is disappointing that major stakeholder engagement has not been undertaken at the drafting stage of the bill and it is likely that the majority of our concerns could have been addressed well before this time.

The Legal Services Commission, which of course provides representation for those in our community who are unable to afford and/or access private services and provide a very important service to South Australia, receives state and federal funding to undertake this work. Largely, its area of support is in criminal and family law areas. It also undertakes some civil advice in civil cases but, as I say, it represents those in the community who have little other option in the services it offers than being unrepresented. So, the access to justice principle is important in the provision of its service.

I have received a submission from Ms Gabrielle Canny, the chair of the South Australian Legal Assistance Forum, and she raises a great deal of concern about this bill. I hasten to add that there are supportive statements about having opportunities to improve cooperation between legal assistance services, coordination, targeting of legal services and linking of legal services and other services, and they accept the importance of having some processes that will help streamline and make things more efficient. But, the sort of things that they raise are the provision of a pecuniary sum being imposed by a court remaining unpaid for 28 days from the day on which the order is made. Then they can attract an amount prescribed by regulation. I quote:

> This is in effect an interest payment or unpaid or unrecovered pecuniary sum. This may reasonable if sums are unpaid because debtors are choosing to ignore imposed penalties. However, often this is not the reason penalties remain unpaid. Often, the penalties are unpaid because those on whom they have imposed have insufficient money to pay, are homeless or suffer from a mental illness. To increase the debt level of those people in the community who are most vulnerable reinforces the poverty trap in which they find themselves, exacerbates their difficulties and makes payment less feasible. This policy will result in those less able to pay owing more than a person who can pay, despite the initial penalty being the same.

They also raise concerns about the new section 30, which allows for a debtor to enter into an arrangement with a fines enforcement and recovery officer, but there are restrictions on that not being available; for example, when the debt has previously been the subject of an enforcement action by an officer, then an officer may refuse to enter into an arrangement. So, they certainly raise a number of shortcomings in relation to that opportunity being restricted against those who are most likely to benefit, I think they are advocating, from a plan option.

They raise the discretion that is allowed to the fines enforcement and recovery officer to waive a payment. They say that under the current act there is a provision for the registrar to remit a matter to court for reconsideration of the court and that it can:

> ...on its own initiative, reconsider a matter if satisfied that the debtor does not have means to satisfy the pecuniary sum without the debt of his or her dependants...This is, in effect, a review provision that allows the Court to remit or reduce a pecuniary sum, or make a substitute order.

They suggest this is missing from the proposed new section and have proposed some amendment. They make comment on the current act providing for authorised officers to make an order in relation to the enforcement of a penalty; that is, it is an authorised officer who suspends a debtor's driver's licence or restricts a debtor from transacting business with the Registrar of Motor Vehicles, or makes an order for sale of the debtor's land or personal property. They state:

> Clearly, any one of these orders will have a significant impact on the day to day life of a debtor and is of great importance to the individual. An authorised officer is appointed under the Courts Administration Act 1993 and is not a public servant. The current legislation provides a right of review and appeal against a penalty enforcement order imposed by an authorised officer.

In essence, here they are saying that this is not an area of responsibility that should be vested in a public servant; it should remain with a process where there is a review process to go with it. They are highly critical of that aspect, so they obviously want some right of review or appeal. There a

number of other concerns in respect of the right of the officers to sell real or personal property, and on this they say:

The sale of land is not authorised unless the amount of the pecuniary sum exceeds $10 000. These provisions are present in the current Act. However, the current Act also provides that the sale of land is not authorised if the land constitutes the debtor's principal place of residence.

As we have heard in this debate, this bill is to cover the principal place of residence and make that vulnerable to such a sale order. The Legal Services Commission continues:

This exception has been removed in the Bill, with the obvious result that a person's place of residence will be able to be sold to satisfy debt. This is clearly a very harsh result.

That is of concern to them. They also point out:

Under the current legislation, a debtor's driver's licence may only be suspended for 60 days. The proposed provisions allow for it to be suspended indefinitely, and for the suspension to take effect in 14 (as opposed to 21) days. As there appears to be no means of review of the decision [by these new taskforce officers] this again seems to be a very harsh result.

Currently, a garnishee order may only be made if the Registrar—

and I have referred to that in the earlier debate—

is satisfied that the orders will not cause the debtor or his or her dependants hardship. The proposed new provision...removes this safeguard.

I think I have covered that generally in the debate, and clearly the Legal Services Commission also has concerns about that. Under the current act, there is:

...direction to an authorised officer in relation to the priority in which penalty enforcement orders should be imposed on a debtor, suggesting that priority should first be given to suspension of a driver's licence or for a restriction only transacting business with the Registrar of Motor Vehicles, no such priority appears in the proposed legislation.

Obviously, that is a concern for the reasons outlined earlier, in the Legal Services Commission's view. Section 70Q comes under scrutiny again, which allows for the publication of the website. Again, I raised this in the debate, but I place on the record their concern, which states:

Such a notice may include the debtor's actual name and any assumed name and date of birth. Publication of a debtor's name, and in effect 'naming and shaming', is an additional penalty against those who, in the majority of cases, are indigent and struggling. Additional to the likely negative repercussions for the debtor, this may have ramifications for his or her family members.

Again, for obvious reasons, that is of concern to them. They also draw attention to the fact that 'the court, under the proposed amendments, will no longer have the power to reconsider a matter' because this will obviously transfer to the task force officer. They continue:

Under the proposed provisions, the debtor will need to convince the Fines Enforcement and Recovery Officer that he or she does not have the means to satisfy the pecuniary sum without suffering hardship. If convinced, the Fines Enforcement and Recovery Officer can apply to the Court and the Court, if convinced, may make a community service order. This, in effect, requires the debtor to jump through two hoops to obtain a community service order. It would be preferable for the legislation to allow a debtor to approach the Court directly to request a monetary penalty be converted to a community service order.

There are two other matters: one is that in respect of the number of hours of community service to be performed for each dollar amount of the find, that is all to be left to the regulations. It continues:

Currently, for youth, 8 hours of community service must be performed for each $100 owed by the debtor. Under the proposed Bill, the prescribed unit amount (whatever that may be) equates to 7.5 hours of community service. Given the significant increase in court fees and levies, and the flow on of this to amounts owed by debtors, it is appropriate for the prescribed unit amount to be significantly more than $100 for 7.5 hours of work.

So we would hope the government would at least take that into account.

Finally, I am concerned to note the proposed increase from six months to twelve months in the maximum prison penalty that may be imposed for lack of compliance with a community service order. Twelve months is a very significant term of imprisonment for defaulting on a fine.

We share that concern in the opposition. I pointed out previously the concern we have for ensuring that we have a balance in recovering as much as we can from those who are defaulting in their obligation to the Crown. Of course, it is reasonable that the government recover that, on behalf of taxpayers, and that is revenue that ought to be paid where it can be paid.

We have a major problem in the amount of money that is owed. One that has been significant under the watch of this Attorney, but, doubtless, a significant factor and feature of this

era is that there has been a very substantial increase in fines, and therefore there is a very large amount more money that is owing to the government.

It is not an easy issue; and the opposition does not suggest that it is easy. I am aware of other agencies where there is a paper registration of an obligation to pay and that each year there is a writing off, prudently, having assessed the capacity to recover and identifying that that is just not realistic, either because the person is unable to pay or they are unable to be found.

A classic example of that is under our provision of services for ambulance emergency services in South Australia. This is now something almost exclusively provided under the monopoly contract to Ambulance SA. Each year, they collect a number of people in emergency circumstances, deliver them to hospitals or to receive medical treatment and they do a wonderful job; but millions of dollars each year are recorded as being fees that are paid and there has been no recovery from the patient and/or an insurance company who may be representing them in a motor vehicle accident that they may have been in or private health insurance, and the money has not been recovered, with the likelihood of it being recovered being minimal.

Quite often, these persons are identified as homeless, unemployed, certainly poor, might have a mental health condition, may have a suspected imbibing of drugs, for example, and require emergency treatment. So notice is given to the ambulance service by a helpful citizen or some other agency that this person is in likely need of medical treatment or at least assessment and they are picked up by the good men and women of Ambulance SA and taken to the hospital, usually an emergency service division, where they can get some assessment and treatment.

This is an expense in the community which is done, obviously, to ensure that we do all we can for those who are vulnerable and in those circumstances. The reality is that it is well known, even at the time of those who are collecting the person from the side of the street—wherever—that there will never be any likelihood of recovery of those funds. There is no insurance company to send a bill to. There is no health agency to cover it and there is no money that is likely to come from the person who has been rescued from those circumstances, and so each year that is written off.

So it seems to me that the government need to be honest about the fact that they are not going to be able to recover a number of these. Other agencies have to write these off, sensibly and responsibly each year, and not leave this as an ongoing debt and balance the importance of ensuring that where people can pay they do pay and, if they can pay but won't pay, they be severely prosecuted and, if necessary, action taken to take possession of their asset to pay, and where they can't pay that that fruitless endeavour is abandoned so that good money is not thrown after bad.

We will review these matters, having received this helpful submission from those who are clearly in the know on this issue and have been circumvented, we suggest, from any reasonable contribution from those who are caring for a number of these people. The opposition will listen to that. We will identify where there is an opportunity for improvement of this legislation, but clearly at this stage the government does not have it right.

I have been presented, during the course of this debate, with some amendments that are foreshadowed to be introduced by the Attorney. I am ever hopeful that on some of these matters—which have been raised even at this late hour, six months after it has been introduced into the parliament—they are listening and are prepared to listen. Again, it is a situation where this bill was introduced a month ago, after a period of consultation that was squashed into Christmas last year.

They have had plenty of time to get it right and it is almost like they work on the basis that, 'If we can get away with it, we won't amend it and, if we can proceed with this without having to deal with these nuisance people who complain about the drafting of this legislation, we will.' They have been caught out yet again, so I am hopeful at least that having been caught out that the Attorney will eat a bit of humble pie and recognise that he should have got this right in the first place and that if he hadn't tried to silence the critics in the first place, we would not necessarily have this problem.

The Hon. R.B. SUCH (Fisher) (16:12): I support the intention of this bill for the government to reclaim unpaid fines. If people are fined and they have been subject to due process and have gone through the proper channels, then they should pay their fines. My understanding is at the moment there is something like $275 million under management with the fines payment unit and, of that, approximately $103 million is overdue or has not been paid within the time frame set down by law.

I want to focus more on the fundamentals of this issue, the basis that gives rise to these fines, and that is that the expiation system by its very nature is a curial system. I think it would probably be better described as a 'curious' system, but it is meant to be a cost-effective and efficient way of dealing with minor offending to avoid people having to go to court. I believe that is the intention of the system but I think we have got to a point now where that whole expiation process needs to be reviewed.

I have just written in the last few days to the Premier and others on this very matter and I have enclosed with that letter three examples of recent expiations to illustrate part of what I am saying in my concerns. Some of those, for example, are police officers not putting in details of the vehicle, the location which can be critical, as it was in my case, and putting down Victor Harbor Road or South Road—but where? If the matter goes to court, it is very difficult because the location is so imprecise and I would have thought in this day and age of GPS and other electronic devices it would be possible to be a bit more specific.

There are some other practices which are not acceptable. I noted that on some of the expiations shown to me there is no mention of the device and its number and that is supposed to be put on there. There are other omissions as well, and I don't think that is good enough, because in South Australia we have some of the highest expiation fines in the world, certainly in Australia.

I do not condone people breaking the law, but the fines here are very significant. In the past week I have had two people, both very senior people in their 80s, who have been fined close to $800 for relatively minor breaches. People will say, 'Look, they were over the limit a bit coming into Port Noarlunga or Bowering Hill at Port Noarlunga', but those penalties are very severe; they are a lot more than their pension. I think that is another issue that needs to be looked at. I am not saying the system does not have any road safety impact, because it does, but I am saying that it has moved more towards making money than the principal focus being on road safety.

In fact, I would argue that the whole process should be refocused so that there is more emphasis on education rather than punitive measures. When you talk to frontline police, as I do, they tell me that, contrary to what the hierarchy of the police say publicly—that they issue cautions and so on—the reality is that frontline police officers tell me that if they do not issue expiations they get reprimanded.

They get told off, because the assumption is that they are not doing their job. I think the emphasis should switch more to an educative approach. Some police who are now no longer with SAPOL have told me that they got so sick and tired of not being able to use the educative approach that they have left and I know, in one case, have joined the Federal Police. In Victoria there is a situation where if someone has a relatively good driving record of recent times a minor infringement can be waived or forgiven—but not in South Australia; no, we do not have that system here.

We also do not have a system, as they do in New South Wales, where an expiation notice can be looked at by an independent body. In South Australia it goes back to the people who issued it. Naturally, they are going to say, 'Look, we got it right.' You cannot really expect SAPOL to say, 'Look, our people got it wrong.' They are going to say they got it right. It is outrageous that in today's society we have the police as Caesar judging Caesar. I believe that in the lead-up to the next election that will be part of a package of reforms that I will certainly be campaigning for.

We need a commissioner, not just to look at fixed cameras, as they have in Victoria, but also to look at mobile cameras and hand-held devices. There is a former judge in Victoria—and I have mentioned this here before—a wonderful person who I think has done a great job. What he has done has restored confidence in the fixed camera system over there because people now know that the cameras are subject to some scrutiny by an independent person, an ex-judge who keeps an eye on that system.

As I alluded to before, I suspect that because the penalties are so high people, naturally, do not want to pay them. If there were more realistic penalties there might be greater compliance in terms of paying. There are some other aspects which I think are unacceptable, too, at the moment. A motorist gets slugged with an expiation notice and cops a $60 victims of crime levy. I am not convinced that motorists are murderers, rapists and bank robbers—some of them might be and some of them could be, some of them certainly probably are—a very small minority. However, the motorist—and I am amazed that the RAA has sat back and allowed this to happen—now pays $60 every time there is an expiation for victims of crime.

The reason the levy is there is because the government of the day has not protected its citizens, which is its first fundamental obligation. What do they do? They put the victims of crime levy on to the motorist, so the little old lady from Burnside, who is seven kilometres over the limit, pays an extra $60 to fund a system to recompense people who have not been protected by the government of the day. Despite the fact that South Australia has more police per head than anywhere else in Australia—I think except the Northern Territory—they have not been able to protect the people and, therefore, they are due for compensation. I do not decry that, but why should the motorist be the one who picks that up simply because they are doing 57 km/h in Grant Avenue, or any other street you want to nominate?

We need a complete review of the expiation system and, in particular, the process that the police use. At the time of the alleged offence, the alleged offender does not get the complete expiation notice. This is another serious flaw in the system: you will only get the complete expiation notice if and unless you go to court. You will not get it before. What you will find is that at the bottom of the expiation notice the police officer may have made certain notes. You should get it at the time it is issued. It is not hard to do. It would be better if the motorist (the alleged offender) was able to sign that and say, 'This is an accurate record of our conversation,' or whatever.

In South Australia, SAPOL allows the pre-typing of the interview that is on the bottom of the expiation notice. I think that is outrageous. I have corresponded with the minister and the commissioner some time back and they believe that it is okay for the police to pre-type an interview with someone who is alleged to have committed an offence. I think that is just outrageous because if it goes to court the police officer will say, 'Here is the interview.' It was pre-typed, so it is not a true and accurate representation, necessarily, of what has been said.

People will say, 'If you don't like what is on the expiation notice, you can go to court.' It is a very expensive business. At the moment, I am trying to help a lady from Port Pirie and I think shortly will be her fourth trip to Adelaide, because the alleged offence happened here with a red light camera. Even if she wins, she will lose because of the cost of going back and forth, the adjournments, the loss of time, and that sort of thing. If you do not have a lawyer, which can be very unwise in some circumstances, you run a risk because you do not talk the language of the magistrate and the judge. It can be very risky. If you have a lawyer, that can cost you a lot of money, too: they cannot do the work for nothing.

There are also some other anomalies with this system. The police officer issuing the expiation has seven days to lodge it. Anything can happen in that time. You do not know what has been added to that bottom part of the expiation in that week. You could drive a truck through the way the expiation system is operating in South Australia at the moment (preferably not at high speed). It has not improved. There have been some small changes. I raised the issue of them being checked by a senior officer after my episode, when the constable signed it as if he was a senior officer. It was quite outrageous, but he got away with it. Now it is supposed to be signed by a senior officer. But the whole process of dealing with these expiation notices is rubbery, and it is even more rubbery when you are dealing with something that has a highly subjective element.

I urge members to read a judgement by His Honour Justice Peek of 15 November 2012 which I think is a brilliant summing up and a brilliant judgement that went against someone who challenged in relation to a speeding offence. Not surprisingly, the person was not represented and the case they put lacked a professional approach in many ways. This is what His Honour said about the certificate the police have to produce in relation to verifying that the instrument they used was accurate. I will not read it all, but he says:

> However, SAPOL would be well advised in the future to alter the wording of the certificate by adding the words 'shown by the test to be' to forestall future argument on this point.

The judges use polite language when they make a judgement, and we see how polite the lawyers in this place are. They do not usually use harsh language but, further in, His Honour talks about this constable and what he did.

Just before I outline that, I should point out that, in the expiation in that case—I have had a look at it—they have got down that the superintendant was superintendant 'Tilley'. His name is actually Twilley. That may not sound important but, on this certificate of accuracy which got this person hung, as it did in my case, it was not even signed by that person. His name is typed in. I do not call that a signature.

I would be interested to hear from the lawyers in here whether a typed in name is the same as a signature, but that is what is on this expiation that we have got and which was before

His Honour. What he said here, when talking about the checklist which is supposed to be filled out by the traffic officer before he hands it to the superintendant or an inspector—it has to be signed by someone who is an inspector or above—is:

> ...one of the difficulties for a defendant is that the mere marking of such a check list tells one very little about the bearing of the particular procedures upon the accuracy of the instrument. Another similar difficulty is that assertions—

and he gives some paragraph numbers—

> that tests were performed 'correctly' are opaque in the absence of detail as to what were the correct tests and what was the correct manner in which they should be performed.

I think the judge's assessment is excellent in that he highlights, when talking about a laser in particular, that an instrument being accurate is one thing, but the second thing is it has to be used accurately. You can have something that is accurate. You might have a rifle, for example—he does not use this example—that might be shooting accurately but, if you point it at the sky, you are not likely to hit the rabbit that is a few hundred metres in front of you.

I would urge members to read this because this judgement of His Honour highlights, in relation to this particular aspect of linking, in this case, lasers and expiations, some of the deficiencies in the current system. He points out that, in the time that one certificate of accuracy was lodged, the police later changed the terminology from being shown to be accurate in relation to the manufacturer's specifications to an Australian Standard.

Who is making sure that these are genuine certificates that reflect the wording that the judge is saying is necessary? The police seem to be able to just change these certificates. They change the expiation notices. I am not sure whether the Attorney has to approve them—I do not believe he does—but what we have got at the moment is a system which is far from satisfactory and needs to be addressed, because it is costing innocent people a lot of time and money.

I will give you an example. I wrote to the current Minister for Police—and I think he is a very good minister—about the fixed camera on the corner of South Road and Dawes Road because people had complained to me. He wrote back and said that that machine has been decommissioned and removed and 220 expiations have been cancelled or withdrawn.

That highlights some of the problems in the current system. I can show members some examples we have got here where the police have said that a particular expiation must stand and you cannot even tell what car is going through the intersection due to the quality of the photograph. That camera has now been withdrawn but, every day—I am not exaggerating—people come to me with concerns where they think they have been unfairly treated by a system which is, in my view, rubbery and needs to be overhauled.

We know—and this what the former commissioner, Mal Hyde, said to me—that these systems depend on the integrity of the officer, but you should have a system which is transparent, which is fair, which is reasonable and is not excessive in terms of the fees that are charged by way of penalty.

It is good to recover moneys owing that have been genuinely incurred as fines; I fully support that. I do not agree with people getting out of their obligation. However, I would urge the Attorney and opposition to look closely at the system and how it is currently operating, because some of that revenue being generated I think is being generated unfairly and wrongly. I can list many examples where it is distinct from Victoria where they are more transparent.

You can look up on the web and find out the operating conditions for mobile cameras, where they can be used and how they can be used, and so on, for Victoria—they are quite transparent about it. Not in South Australia; we are the secretive state. In New South Wales, when they use hand-held equipment, they adjust the speed because the manufacturer says it is not 100 per cent accurate, and they allow a margin of plus or minus 2 kilometres an hour. Not in South Australia; they never mention that. They just book people at the alleged speed without making any adjustment for the manufacturer's error.

We have got a long way to go in South Australia before we get a system which, if it works properly, is a good system, a curial system which is cost-effective and fair. What we have got now is a system that is being blatantly abused and misused by some police, and the police system is not good enough to ensure that it is not a corrupt process. It is not corruption in the sense of gaining money illegally: it is about a system which is suffering from poor administration, poor supervision and a lack of genuine integrity and accountability.

I am happy to see this bill go through with some amendments but, as I said at the start, I urge the Attorney to have a look and preferably get a retired judge or someone to have a look at the current expiation system, and we might find that we have fewer people with unpaid fines because there will be fewer people wrongly issued with an expiation.

Mr PEGLER (Mount Gambier) (16:32): I rise in general support of this bill. This bill tightens up the recovery system for unpaid fines. I think it is much more flexible and it will see much more speedy and timely payments of fines. There is a massive amount of unpaid fines in this state, and I do not think it is fair to those people who do the right thing that others are getting away with not paying their fines. Of course, some people will never bother paying because they can get away with it at the moment. Whereas, once this bill goes through (if it goes through) I think it will address many of the situations.

I agree with the negotiated time payment schemes that are proposed and the arrangements that can be made with Centrepay so that people can pay their fines over a period of time; I think that is a good move. When people absolutely refuse to negotiate or pay their fines I think it is the right move to sell their personal property to recover those fines. I also support the fact that those people's licenses can be suspended and their vehicles can have locking devices applied to them. Of course, the suspension of licenses does not necessarily mean that some of those types of people will do the right thing, but if some of their property can be sold, well, they will think twice about paying their fines.

This bill is aimed at those who do the wrong thing, not those who do the right thing. I also support the fact that the names of those who do the wrong thing will be published. The only part of the bill that I do have a problem with is the lodgement fee. I will read out a letter that the Local Government Association sent to me, and hopefully the Attorney can address this issue in his reply. The letter reads:

> The LGA has recently been negotiating with the Attorney in relation to the Statutes Amendment (Fines Enforcement Recovery) Bill 2013. The LGA made a submission on the Bill in late 2012 and is pleased to note key changes to the Bill which address a number of the concerns raised.
>
> However, one issue remains outstanding for Local Government and that is the intention to impose a lodgement fee on Councils for the new Fines Enforcement Office to recover fines which remain unpaid after the issue of appropriate reminder and warning notices. The lodgement fee imposed on Councils will impact adversely on Councils' budgets and result in ratepayers subsidising enforcement procedures against recalcitrant alleged offenders.
>
> The current arrangements for fine collection allows a Council to issue an expiation notice and then issue a reminder notice if the fine is not paid by the due date. The reminder notice attracts an additional fee of $48, which is added to the fine. When the fine is enforced through the court, the original fine amount plus the accumulated fee for the reminder is collected from the alleged offender and paid to Councils. The new lodgement fee will not be recoverable by Councils from the alleged offender, but will have to be paid by Councils when seeking to have the fine enforced. The LGA's view is that the lodgement fee should be added to the original fine, as is the case for the reminder fee, and be paid by the alleged offender through the enforcement process.
>
> However, after discussions with the Attorney's staff, the LGA has made a compromise proposal which is to seek an increase in the fee for the reminder notice as a means of offsetting the impact of the new lodgement fee. We have written to the Attorney seeking his endorsement of this proposal.
>
> If the Attorney is supportive of this proposal we would be comfortable with a statement of commitment being made by him enabling discussions to occur between the LGA and his Department, including Treasury to implement the proposal.
>
> The LGA is otherwise supportive of the passage of this Bill through the House of Assembly.

I do support the LGA in this. It is not actually the councils that end up being out of pocket but the ratepayers themselves for these people who do the wrong thing. I believe that the collection should actually come from those people who have done the wrong thing. Otherwise, I support the bill.

Mr VAN HOLST PELLEKAAN (Stuart) (16:37): I will make a few very brief comments. It is a pleasure to contribute to this discussion, particularly following the member for Bragg, our lead speaker on this issue, who as always has been very thorough about outlining where everything is going, but there have been good contributions from other speakers, too.

Without going over old ground, I will touch on a couple of concerns I have. There is no doubt that the opposition supports this bill, and I am certainly very supportive of anything that is going to crack down on crime, and not paying your fine is a crime linked to a former crime. I am happy to support the government in trying to address that, and no doubt it will benefit our economy. As the member for Mount Gambier just said, at the end of the day it is the ratepayer or the taxpayer

who really misses out because, if the money is not paid and there are costs involved, it is the South Australian who bears the brunt of it. I certainly think that this is a positive measure.

I put on the record, though, my concerns about what seem to be very excessive powers given to these fines enforcement recovery officers. These powers include things like clamping and impounding vehicles, sale of a debtor's primary place of residence if the fine is more than $10,000, publishing debtors' names on websites, open-ended driver's licence and potentially other disqualifications, and other things like that.

It does seem a big chunk of power to put into people's hands, into public servants' hands. I certainly have nothing against public servants, but you would want to be sure that they were trained in exactly this sort of work. They are actually being given this job because the people who are trained in exactly this sort of work are currently not being successful. That is an issue I think needs to be looked at very seriously.

We have certainly had situations—and they are in the vast minority, but they have existed—where people with authority to make decisions within the Public Service have been open to graft and corruption. I forget exactly what the situation was, but I think towards the middle of last year there were people who were either handing out driver's licences or car registrations or something like that, or not handing them out, for their own personal gain.

So, not only do these fines enforcement and recovery officers have a great deal of power and authority, they also have a great deal of discretion. They have an enormous amount of discretion in the work that they do with regard to actually deciding how they are going to go about recovering the debt, in actually deciding whether they are going to recover the debt at all and deciding whether possibly the debt should never actually have been applied in the first place.

So, on the one hand, they have a great deal of authority and on the other hand a great deal of judgement opportunity. I just put on record my concern that these people will be put under an enormous amount of pressure in their job with the straightforward thing of potentially just their own inclination to make poor judgments for one reason or another. They might also find themselves very exposed to pressure from organised crime gangs. We have a very hard time keeping bikies and other organised crime gangs out of just about everything that we do in South Australia. It is not a great leap to be concerned about the possibility that these fine enforcement and recovery officers may well be deliberately targeted by organised crime people.

I just think that is something the government—whoever is in government when this bill passes, as it surely will—should be right on top of, because these are people doing the job who will be put under an enormous amount of pressure. They will be put under extreme pressure because they will have a great deal of personal authority, which I have no reason to expect that any individuals would not do to the best of their ability, but they will be placed under pressure.

The last point I would like to make quickly is that, while I certainly support the recovery of fines from people who have committed a crime and then compounded that by not paying their fine, what we are looking at here is actually going to have an impact upon the people who have assets and people who have a reputation that they are fearful of losing—the people who have a driver's licence that they do not want to lose or some other thing. It actually will not do anything to address the people who do not have any of those positives that can be taken away from them.

So, for people—and there are thousands of them across our state—who have outstanding fines and are typically recalcitrants over a very long period of time, if they do not have a home, property, driver's licence, car, money in the bank or even a reputation that they are fearful of having besmirched, this will not impact on them. It is okay to address what you can address, and that is fantastic, but we also have to deal with the fact that we have to address an enormous amount of outstanding fines owed by people in those categories who will not be captured here.

I hope that, given that presumably it will be more efficient for the government and the departments to recover money owed from people with assets of one category or another, including a good reputation that they are fearful of losing, it never gets to the point then where fines are more readily applied to those people and less readily applied to the people who will not have them recovered by the extra tools that are put in place by this act. Clearly, that would be completely unethical and inappropriate. It is important that obviously fines, when they are handed out, are applied exactly to whatever the crime is, and are not linked to the capacity to recover the fine.

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

(16:44): Can I start by thanking everyone who has contributed to the debate. I am actually very pleased that overall people are supportive of the legislation. I guess people have pointed out a number of areas of concern. In dealing with this area, obviously one has to be realistic and accept that there are, as the member for Stuart was just referring to, some people who, for whatever reason, are incapable of paying a fine.

Nobody wants to get to the point where we are creating a debtors' prison. We do not want to be re-entering the era of Charles Dickens, with hulks in the Port River and that sort of thing. That said, the fundamental point about all of this is that the fines enforcement tools that the government presently has are tools that have been accumulated over some time, and have been incrementally added to as time went on. In a way, you have various sediments of thinking sitting there at the moment, all of which are grafted onto the courts as the body that is going to be doing this work.

The courts are obviously very good at their core business, which is managing courts. In fact, I think they are getting better at it and they are getting more efficient at it. They are starting to look at things in a very progressive way, and I applaud the courts for that, but this is not part of their core business. This is something that was conveniently picked up by them because nobody else seemed to be the appropriate people to do it.

They have struggled on in a genuine fashion for some time, doing their best, but it has been a very systematic, focused collection agency. By 'systematic', I mean it is almost an automated system. What we are talking about here is a far more case-specific system with dedicated people who will look at each individual debtor, examine that individual debtor's circumstances, and deal with those as best they can.

I have mentioned this previously, and I will not labour the point too much here, but we need to remember that, of the debt that is sitting out there at the minute, the best part of 40 or more per cent of that is debt which is due but not yet overdue. When we say there is two hundred and something million dollars there, of that, a hundred and something million is money which is due but not yet overdue. That part of it is not really a problem.

We then have a large segment of debt which is overdue but is being managed in some fashion. Again, in that area, at least it is being managed presently. I applaud the system for doing that, but this bill aims to improve the management of that substantial chunk of money. That is another 30-odd per cent of the total outstanding funds, so that is a substantial amount of money, the collection of which could be more actively and personally managed to get a maximum return out of that.

Finally, we have this very, very troublesome tail in terms of statistics. That tail is made up of all sorts of things: people whose addresses we do not know; people who have disappeared; people who have gone overseas; and people who have gone interstate. In relation to that debt, it is fair to ask whether the energy and cost put into recovering that debt are warranted, given how big that debt might be. To put it another way: how many hundreds of dollars do you spend chasing $100? Again, that requires common sense on the part of a dedicated debt collection agency, which this will be.

I realise that there have been concerns raised about people who are not financially well off and so forth. This scheme is intended to acknowledge and comprehend that those people exist and deal with them in the appropriate way, but it also acknowledges there are some people out there who have thumbed their nose at the system, and the present system has not actually presented any great challenge for these people.

The other thing I should point out is that—and I tried to capture this a while ago using the word 'automated'—the present system does not have a lot of discretions built into it. For example, a person is overdue; automatically, an overdue fee of X dollars. The process goes down the track, some other step happens, then automatically the next step must be licence suspension or something else—no ifs, no buts, it just must happen.

Inevitably, when you set up an automated system like that that reacts to individuals, not based on their particular personal circumstances but on some predetermined trigger point, you are going to get odd outcomes. I believe the new system we are talking about here will minimise those odd outcomes; it will make less of those odd outcomes.

The other thing is that this is bringing a professionalism (and I do not use that word in any way to be disparaging of the courts) in the context of debt collection to government debt collection. I think in this day and age, given the sophistication of all the other agencies the government has—

the tax department and so forth—not to have a dedicated and sophisticated modern flexible government agency dedicated to collecting outstanding government debt is leaving a big gap in our armoury.

I would particularly like to mention the member for Mount Gambier's remarks. We have had extensive consultation in relation to this bill. In fact, I know the member for Bragg was at one point acknowledging that we have had this bill out there for a long time, and at another time I think she might have mentioned that we had not consulted enough. However, it has been on the radar screen for two years, and a version of this bill was put out for consultation in October of last year, I think. There have then been several iterations of the bill and further consultation, both within government and outside government.

I know that some people, like the Legal Services Commission, say that there has not been enough consultation, but those who advise me here today suggest that some of the remarks the member for Bragg was passing on from the commission may have been pertinent to an earlier draft of the bill, perhaps even the October version, and not to the amended version. Consultation is important, but those with whom we should be consulting need to take responsibility for being timely in their replies as well, otherwise nothing would ever happen.

In regard to the LGA, I wanted to say in this instance that the LGA has been quite engaged with us on this topic, and there is something I would like to read into *Hansard* because I gave an undertaking to the LGA that I would do this. I read the following:

> The Government will commit to increasing the Reminder Notice Fee for expiation debts as a means of reducing the impact of introducing a new $18 lodgement fee that will be imposed on Issuing Authorities, including Local Government Councils, for lodging debts with the Fines Enforcement and Recovery Office.
>
> The Government will commit to modelling the impact of this new lodgement fee in conjunction with the Local Government Association and the Department of Treasury and Finance prior to this Bill becoming law. Any increase in the Reminder Notice Fee will come into effect on the day that the new Fines Enforcement and Recovery Unit opens its doors.

I gave the undertaking I would put that on the record, and I have now done so. There are just a few other things I wanted to mention very briefly. I understand that because I have a couple of brief amendments we will have to go into committee. I understand that the member for Bragg might have a couple of brief remarks to make in committee, but otherwise we expect to go through it fairly quickly.

This has been a very long and difficult process for me, for my personal office and for the public servants and parliamentary counsel who have assisted us in getting to this point. I would particularly like to place on record my thanks to the head of my department, Rick Persse, and Caroline Mealor, deputy head, who have both been extremely energetic in helping make this happen.

I would also like to thank my personal staff, who have been at varying degrees tolerant and sometimes engaged in therapy with me when they have sat down and said, 'Don't worry, it will eventually happen.' I would also particularly like to thank Kathy, Scott and Amy who are sitting here today. They have spent a lot of time on this and without their effort, this would not have been possible.

The relief one feels—at least, this one—in having this bill not only in here but actually going through the parliament is enormous. I never understood, Mr Deputy Speaker, when an uncle of mine whom you would remember used to refer to a mythical thing called the ooh-aah bird that used to lay square eggs and it would make a noise at the beginning and then after the egg had been passed there would be a great sense of relief. Well, I am feeling a little bit like that. I am about to feel like that anyway, assuming this goes through. With those few words, perhaps we could go into committee.

Bill read a second time.

In committee.

The CHAIR: Did you have any particular area that you wanted to ask a question on, member for Bragg?

Ms CHAPMAN: I am happy to indicate that if we move to the amendments [AG-2] and [AG-3] starting at clause 11, I will be brief if not silent. We will consider them between the houses.

Clauses 1 to 10 passed.

Clause 11.

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

Page 8—

Lines 10 to 18 (clause 11, inserted section 61(1), (2) and (3))—Delete subsections (1), (2) and (3) and substitute:

(1) Subject to this section, the Fines Enforcement and Recovery Officer may make a determination under this section (an aggregation determination) if a debtor who owes a pecuniary sum also has an amount due under an expiation notice (an expiation amount) and—

(a) the debtor has requested the making of the aggregation determination; or

(b) an enforcement determination has been made in relation to the expiation amount under the Expiation of Offences Act 1996.

(2) If the debtor requests the making of the aggregation determination but no enforcement determination has been made under section 13 of the *Expiation of Offences Act 1996* in relation to the expiation amount, the Fines Enforcement and Recovery Officer may refuse to make a determination under this section unless the issuing authority pays the prescribed fee.

(3) On the making of an aggregation determination—

(a) the expiation amount will be taken to be part of the pecuniary sum owed by the debtor; and

(b) subject to the regulations, the debtor will, for the purposes of an Act or law other than this Act or the Expiation of Offences Act 1996, be taken to have expiated the offence or offences to which the determination relates (unless the debtor is already taken to have expiated the offence in accordance with section 9(14) or section 13 of the Expiation of Offences Act 1996); and

(c) any enforcement determination under the Expiation of Offences Act 1996 made in relation to the expiation amount is suspended.

Lines 26 and 27 [clause 11, inserted section 61(5)]—Delete '(and must revoke the determination at the request of the debtor)'

Page 9, lines 1 to 5 [clause 11, inserted section 61(7)(c)]—Delete paragraph (c) and substitute:

(c) —

(i) if an enforcement determination had been made under the *Expiation of Offences Act 1996* prior to the making of the aggregation determination—the enforcement determination comes back into force (and the *Expiation of Offences Act 1996* applies to the remaining expiation amount as if the aggregation determination had not been made); or

(ii) in any other case—the Fines Enforcement and Recovery Officer may make an enforcement determination in relation to the remaining expiation amount under section 13 of the *Expiation of Offences Act 1996* (and any procedural or other requirements relating to the making of such determinations will be taken to have been complied with).

Amendments carried; clause as amended passed.

Clauses 12 to 22 passed.

Clause 23.

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

Page 35, lines 16 and 17 [clause 23, inserted section 9(14)]—Delete '(whether the arrangement is subsequently discharged or terminates before being discharged)' and substitute:

(unless the alleged offender is already taken to have expiated the offence in accordance with section 13 or in accordance with section 61 of the *Criminal Law (Sentencing) Act 1988*) regardless of whether the arrangement is subsequently discharged or terminates before being discharged

Amendment carried; clause as amended passed.

Clauses 24 and 25 passed.

Clause 26.

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

Page 36, line 36 [clause 26, inserted section 13(3)]—After 'section 9(14)' insert:

or in accordance with section 61 of the *Criminal Law (Sentencing) Act 1988*

Page 40, after line 34 [clause 26, inserted section 14A]—After subsection (3) insert:

(4) Where more than 1 enforcement determination has been made in respect of expiation notices issued to a person, the amounts due under the notices may be aggregated for the purposes of taking enforcement action.

Amendments carried; clause as amended passed.

Clauses 27 to 31 passed.

Clause 32.

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

Page 44, after line 39—After subclause (2) insert:

(2a) For the avoidance of doubt, if an order for relief referred to in subsection (2) is cancelled, section 10 of the principal Act (as in force immediately before the commencement day) does not apply in relation to the cancellation.

(2b) The Registrar (within the meaning of the principal Act as in force immediately before the commencement day) may—

(a) with the agreement of the alleged offender, vary an order for relief referred to in subsection (2); and

(b) delegate any functions and powers relating to an order for relief referred to in subsection (2) to the Fines Enforcement and Recovery Officer.

(2c) A power or function delegated under subsection (2b)(b) may, if the instrument of delegation so provides, be further delegated.

(2d) A delegation under subsection (2b)(b)—

(a) may be absolute or conditional; and

(b) does not derogate from the power of the delegator to act personally in a matter; and

(c) is revocable at will; and

(d) operates despite any direction under section 18A of the principal Act (as in force before the commencement day).

Amendment carried; clause as amended passed.

Clauses 33 to 44 passed.

New clause 44A.

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

Page 46, after line 37—After clause 44 insert:

44A—Amendment of section 139D—Confidentiality

Section 139D(1)(ea)—delete paragraph (ea) and substitute:

(ea) as may be required for the purposes of Part 9 Division 3 of the Criminal Law (Sentencing) Act 1988; or

New clause inserted.

Remaining clauses (45 to 49) and title passed.

Bill reported with amendment.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (17:00): I move:

That this bill be now read a third time.

Bill read a third time and passed.

HOUSING AND URBAN DEVELOPMENT (ADMINISTRATIVE ARRANGEMENTS) (URBAN RENEWAL) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 2 May 2013.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (17:01): I rise to speak on this bill which was introduced by the Attorney I think in his role as Minister for Planning. There are four preliminary matters that I wish to address. One is that at the time of the minister introducing this bill on 2 May he made it explicitly clear in his contribution to the house that:

> It is the Government's intention that this Bill lie on the table in this chamber to enable feedback from local government and other stakeholders. We will not seek to further debate until key stakeholders have had the opportunity to provide that feedback. The Government would like to make it clear that it is willing to consider appropriate amendments that will satisfy stakeholders, and briefings will be made available to members who seek them at any stage about the Bill.

The second matter I raise as a preliminary is that I note that the Minister for Planning has undertaken the carriage of this bill and not minister Koutsantonis as the urban planning minister, who legally has responsibility for the act.

The Hon. J.R. Rau interjecting:

Ms CHAPMAN: The Attorney is shaking his head. The Urban Planning Act, as I understand it, is the direct responsibility of the minister for urban planning, namely minister Koutsantonis, as published in the annual report—urban development. The third matter is that in the advice received on this matter I note that the President of the Local Government Association, a key stakeholder in this debate, Mr David O'Loughlin, is an employee of the urban renewal authority and of course, therefore, of the government. He has, therefore, been excluded from the negotiations and consultations that at least the opposition has had in relation to this bill.

I do not cast any reflection on the fact that Mr O'Loughlin is the President of the LGA or, indeed, that he is an employee of the government, but I just place that on the record. At no time during my consultations—which have been brief, given the circumstances of the debating of this bill—has the disclosure of that matter been brought to the opposition's attention until the matter was raised by the LGA.

Fortunately, I keep an eye on these things, and the 200-plus employees who suddenly travelled from Housing SA across to the urban renewal authority all had names and we had a list of them and one of them, of course, is Mr O'Loughlin. We will come back to that shortly on the question of conflict of interest but, as I say, I am not casting a personal reflection on Mr O'Loughlin in either of those roles.

The fourth matter is that the government has informed us, via the second reading contribution, that Mr Brian Hayes QC's review panel, which is to report to the minister of the day in late 2014, has reviewed and, it is claimed, supports the bill. I place on the record that the opposition has seen neither any evidence whatsoever of that nor a copy of any presentation from that committee which, given its charter and its obligation to report back to the government, we would have thought would have been at least made available. It has not been.

The Hon. J.R. RAU: I am not sure if this helps the honourable member, but my recollection of what I said, and it should be understood properly, was that this bill was shown to Mr Hayes' group, they suggested changes and those changes were adopted. I think that is what I said.

Ms CHAPMAN: I am happy to read for the record what was said in the *Hansard*. I do not take the point of the interruption from the Attorney. It is usually quite helpful but, in this instance, it seems that he has some deficiency in his memory. What he said in his second reading speech was:

> While the Expert Panel on Planning Reform will continue its comprehensive review of the planning system, this bill will provide a kick start to an important reform of our planning and development system. The Expert Panel has reviewed and supports this bill.

The Hon. J.R. Rau interjecting:

Ms CHAPMAN: I make the point, so that it is absolutely clear for the Attorney, that at no time during the course of the development of this bill in the parliament (which is from 2 May) has the opposition been privy to or been provided any information whatsoever from the expert panel or

Mr Hayes, as its chair, in support of that assertion. Given its charter to undertake a comprehensive review of the planning system in South Australia and its being paid by the taxpayer and its obligation to report to the minister later in 2014, one would have thought, if there had been a special request made by the Attorney to consider it, we would have been presented with their consideration, any details of amendments that they have recommended and, indeed, who of the expert panel, if not all of them, has reviewed it.

I will first identify some aspects of the bill that is currently before us. The purpose of the bill, apart from changing the name of the act and a few ancillary matters such as that, firstly, is to establish the urban renewal authority, formerly the land management corporation, as a statutory corporation. Secondly, it is to outline a new urban renewal planning process, in particular, a special precinct development process which is to override and sit across our current development laws.

Members would know, because we have had this presented to us in regulatory form, that the urban renewal authority (as was the former land management corporation) is an entity that was established by regulation, and those regulations were re-promulgated after its new charter was announced and it was reborn as the urban renewal authority, I think in late 2011, by Premier Weatherill. Since that time, various announcements have been made about its new and extra roles.

The urban renewal authority is now under the stewardship of Mr Fred Hansen, who has undertaken the role of chief executive officer and sits under a board of seven members. I am assuming that the final board has been appointed (there was a bit of a delay in that), and they operate under regulatory power. It would also be well known to members that local government and, in some areas, the state planning department and both the Minister for Planning and the Minister for Urban Development currently supervise and carry out the functions of the control of planning, essentially, by a zoning and rezoning process.

The government has claimed in its presentation to date by the Minister for Planning that the new precinct development process is to assist the urban renewal authority but that it will also allow councils to apply to use that process to undertake precinct plans, most particularly in a joint venture-style development. The government, through the Minister for Planning, has also claimed that this will be a better process for redevelopments with multiple landowners, such as Port Adelaide, and for large scale, long-term sites, such as the Bowden site (formerly the Clipsal site), and proposals at Tonsley, the former Mitsubishi site.

There are significant extensions of powers, including the power to coordinate infrastructure rollout; to grant concessions, by regulation, to deal with land-based taxation; and the invalidation of council by-laws. I will come to those again shortly, but let me return to the question of consultation.

For the record, after the Attorney's statement on 2 May, which I have read out, that this would be a bill that would lie on the table, I was offered a briefing by members of the Attorney's office and DPTI to consider the proposed legislation. I was provided with a copy of a PowerPoint presentation that had been provided to the urban renewal authority, which trades as Renewal SA. The Renewal SA board, I was told, was provided with that on 25 March 2013, which pre-dated the tabling of the bill, and also with the PowerPoint presentation given to the LGA, or at least representatives of it, on 24 March 2013, also pre-dating the introduction of the bill.

My briefing was provided on 14 May 2013. During that briefing, which I thank representatives from the department for providing, it was clearly indicated that submissions were expected to be received from, as significant stakeholders, the UDIA, the Property Council, the LGA and the URA—that is, the urban renewal authority itself—and that there had been some comment made that entities such as the Environmental Defenders Office might have a view on these matters. There was no indication that they had been brought into the consultative tent.

I make that point because all too often now, as we have seen in other bills just in this session, the consultation process is highly selective. It is of concern to the opposition that this practice continues. It is equally concerning that, when statements are made in the parliament of the intent to ensure that stakeholders are not only consulted but they have adequate time to present their submissions, and we in the opposition, who are party to the debate, are told that there will be time for that to occur and that that information will be forthcoming, we expect that we should be able to rely on it as accurate and assume it will be provided.

The reality is that, notwithstanding that we have not heard a jot further from the department or the minister's office on the concerns that have been expressed by a number of the relevant players, as an opposition we have at least taken the initiative to contact some of them because

they were identified as people who were concerned about this legislation. It seems a number of things are absolutely clear. One is that there has been inadequate time for the Local Government Association to receive feedback from its membership on how this will affect a number of the councils.

Whilst this bill relates to housing and urban development, clearly there are some definition failures in this bill, which can mean that there are significant other councils that may well be affected by this. It seems clear, on the information the opposition has received from councils that have only recently read about this in their LGA newsletter, that they have not had the opportunity to present any case on how this legislation could be improved. It ought to send a very clear message to the Attorney if this is the standard which is going to be imposed by the government when it says that it will present something for consultation. It is not a unique thing. Sometimes government ministers have said, 'Look, we're introducing some challenging new legislation but we want everybody to have a look at it, so we are going to lay it on the table for a number of weeks and we are going to fully consider those submissions, and we welcome those.' It is not something that is the usual course but it is not unique.

You, Mr Speaker, have done it from time to time, and other ministers have done it, to enable everyone to have a say. It is very concerning when that is stated at the time of laying the bill on the table and outlining what is intended, and it is then removed. At the meeting that was provided for the opposition on 15 April, clearly there was genuine intent by those providing the advice that this information would be forthcoming, that we in fact would get some answers to the questions raised, including a list of the powers to be overridden by other authorities, which is one of the issues that was raised during the consultation. Not a word!

I am very disappointed that the Attorney has really fallen to the depths of this type of approach now, but the opposition is alert to the fact that we simply cannot trust this new regime of alleged consultation. I think it is fair to say that those in the field who are employed on behalf of various industries and representative bodies are also alert to what is nothing short of mischievous and, I would suggest, unhelpful in the orderly progress of debate in this chamber. If the government wants to maintain that level of standard, which I suggest is low in the gutter, then we will have to deal with it accordingly.

The other aspect I raise as a preliminary matter, is the lack of appearance on this bill as the mover of the Minister for Urban Development, who is responsible for this act. The government, of course, can choose whomever it wishes to promote a particular bill, and I do not think there is any question that the Attorney has a valid interest in this bill. As the Minister for Planning, he has a very significant role proposed in urban development and, in this bill in particular, so it is not unreasonable that he would come in and want to make a contribution to the debate.

What is unusual is that the minister who is responsible for this act, appears to have been completely overlooked. I hope that minister Koutsantonis comes in and makes a contribution to this debate, because he is clearly the principal minister in the bill who has oversight of a number of aspects of the act, the new regime of the urban renewal authority which is accountable to him and, furthermore, that he is to be the direct supervisor of the new processes for precinct planning. There is no question that the Minister for Planning has a role and, in fact, in some areas under this proposed bill, it is required that he be consulted—whatever that means—because I think the definition of 'consult' for this government has evaporated. Anyway, whatever it is, he has a role to play in it.

But I do not know, perhaps there has been a bit of rivalry as to who is the most important, or who is the most senior. I do not know the answer, but I think it is reasonable that we hear from the Minister for Urban Development as to his role in this, and as to why he has been completely wiped off the page. It must be humiliating for him, really, but, nevertheless, he has not been stripped of all responsibility, he is apparently going to have a role under this legislation, he is just not coming in here to tell us about it as the principal.

The Hon. P.F. Conlon: Lucky guy.

Ms CHAPMAN: I hear interjections from the part-time member for Elder; I trust that will not be continued.

The Hon. P.F. Conlon interjecting:

The SPEAKER: I was about to call the member for Elder to order for behaving in the manner of the member for Kavel. The member for Bragg.

Ms CHAPMAN: The other matter which I touched on was the question of identification of any conflict of interest. I mentioned that Mr David O'Loughlin is an employee of the urban renewal authority and has a senior role in that entity. He is also currently and recently elected as the chair of the Local Government Association. Quite properly, he did not attend the meeting I had with the LGA—other representatives attended and, of course, it would be quite inappropriate if he did present.

What is concerning to the opposition in this new standard that they have applied is that I think that it would have been appropriate for the relationship to be identified at the briefing at the very least, if not in the second reading contribution of the Attorney, for reasons—because I am forensic with these things—of identifying that Mr O'Loughlin transferred with a tranche of several hundred others across to the urban renewal authority from Housing SA which has been depleted. They are left, I think, with Mr Fagan-Schmidt and a few others to handle the rental-defaulting tenants of Housing SA, and manage the minor aspects of Housing SA.

The real management of property has been transferred in this role over to the urban renewal authority, and Mr O'Loughlin, of course, has transferred with them. As has been pretty obvious in the public statements, I do not doubt that the purpose of this whole exercise is what the opposition predicted some years ago, and that is that we will just have a mass sale of the last remaining significant asset left in government hands, namely the $7.5 billion Housing Trust assets that are held and which have now been sent over into the hands of the urban renewal authority, which we all know is an entity charged with the responsibility to develop and sell.

I come back to Mr O'Loughlin to say only this: that it would have been appropriate for the government to identify, at least at the briefing, the potential conflict of interest with Mr O'Loughlin's employment, or at least some reassurance that there had been no contribution made by Mr O'Loughlin in the development of this with the URA, because we do not know. We are told that the government has consulted with the URA, but we do not know who, whether it is the chairman of the board, Mr Fred Hansen as the CEO or a group of others, or whether or not Mr O'Loughlin has been part of that.

It seems that the absence of any disclosure of this only adds to the concern not just of the opposition but of the public as to the transparency of the government in its consultations. I do not know whether it will ever learn. Here we are in the wake of the blood that has been dripping from the Ombudsman's report about the conduct out of the Mount Barker fiasco and, in particular, the development of growth plans hastened under the watch of minister Holloway, and the scathing report by the Ombudsman as to the conduct of members in the department with respect to the appointment of a private consultant who had previously represented those pursuing the development in Mount Barker.

The whole Mount Barker fiasco, of course, has been a lesson in what every government should not do in attempting to suffocate, squash and keep silenced and excluded from adequate consultation and information—if ever that was an exercise of trying to crush the public, of which they stood up and revolted, that is one. You would think that there would be some lessons learned from it but, sadly, that is not the case.

There was an opportunity here for the government to come clean and disclose this. Just today in *The Australian* there is another example of where the government has had questions raised about the employment of a member of the planning department who is now disclosed to be a shareholder—

The Hon. J.R. RAU: I take a point of order on two counts. First of all, I am being a bit intimidated by the noises made by the member for Kavel.

The SPEAKER: Aren't we all.

The Hon. J.R. RAU: Secondly, I think we have given the member for Bragg a fair bit of room, and I do not in any way—well, I do a little bit—want to contain her to some relevance to the legislation, because—

The SPEAKER: I had questions about whose precious blood it was.

The Hon. J.R. RAU: Indeed. We travelled down this path this morning with those two chaps from the ABC.

Mr Gardner: Romani ite domum!

The Hon. J.R. RAU: 'Ite Romani domum' I think is the correct term. Anyway.

The SPEAKER: I am sure the member for Bragg will take all of that on board.

Ms CHAPMAN: Indeed, sir. You see, the problem is that when the government does not disclose these things it raises the question of not just potential conflict of interest but perceived conflict of interest. We are canvassing the merits of a bill, Mr Speaker, which you will be very interested in, because it is proposed to be applied in due course to a property in your electorate, namely the Bowden site, according to the second reading explanation.

So I am sure you will be very interested, sir, because I know how much you value the advice and contribution made by councils in local government and the role they play in planning, which I suggest will be severely curtailed by this bill. You may think that is a good thing or you may think it is a bad thing, but I know that you will have a view on it, so when members of the department have a very key role in the declaration of planning precincts and the implementation plans that sit underneath them, I am confident that you would be very interested to know who is doing it.

I simply make the point that we do not want to have a repeat of what occurred in the Mount Barker exercise, where there was a non-disclosure. Here, at the beginning, the embryonic stage, of this legislation, in the very first blush of this legislation, we have no disclosure, and it is a simple one. Why did the government have to keep this secret? Why could the government not have come out straightaway and said, 'This is the situation'?

So I raise the fact that there is, yet again, this morning, this publication of the apparent complaint of a member of the planning department paralleled with a member of the URA, who no doubt has a legitimate interest as a joint shareholder in a private company that enjoys the benefit of contractual employment and income from the government and who is also married to a director of that entity.

What is important for the public, with the government setting up this new regime that will swallow up, overlap and override our long-serving development legislation and the processes that sit under it, is that they want to have some assurance, some confidence that the very people who are keeping secrets from them are actually going to be accountable.

What is particularly concerning, as was evident this morning on radio, is that the Minister for Planning—and I hope not the Minister for Urban Development, because I look forward to his contribution on this debate—is in this sort of Sergeant Schultz mode. It is this 'I don't know; I'm advised by my department X/Y/Z.'

The problem is that the government comes in here and asks us to look at this legislation, and says, 'We are going to take this over, but you can trust us'. The demonstration by this morning's performance, when there was an opportunity for the Minister for Planning to reassure the people of South Australia that there was no conflict of interest, not just 'Look, I am advised by my department that this is the situation. They had it in hand, they supervised it. There is no conflict of interest'—

The Hon. P.F. Conlon interjecting:

The SPEAKER: I warn the member for Elder for the first time, for interjecting out of his place.

The Hon. J.R. RAU: Mr Speaker, point of order. Whilst you are at it, perhaps in a confessional mode, the member for Kavel has continued to interject, quoting Sergeant Schultz at me, which I am finding distressing.

The SPEAKER: I call the Deputy Premier to order for a plainly bogus point of order.

Ms CHAPMAN: What happens is that in this environment, where we are being asked to trust the government to responsibly introduce a precinct process of planning to overlap what has been a time-honoured development process by other entities, he is saying, 'Give it to me and the Minister for Urban Development and the urban renewal authority' or whoever we might anoint through this process to be the relevant authority to which we will allocate this role. 'You can trust us because we know what we're doing, and we are open and transparent and we are going to be consultative', etc.

I just remind the house that at the same time that we are viewing this and being asked to consider it, the minister is answering questions on radio, where he is being described as detached and vague in his responses. It is hardly any surprise that the opposition has become increasingly concerned and acutely aware of the exclusion of real information to South Australians.

Rest assured that it has heightened the concern of the opposition about the level of the usual candour from the government in their operation of this proposed new process. I think it is fair to say that, whilst we are critical of the time, the process of consultation, the recent conduct of the minister and his department in other activity that makes us concerned, we too look to having a better and improved development system.

There is always room for improvement, as the Attorney previously outlined when he appointed Mr Brian Hayes QC and many eminent members of his expert panel to undertake a timely and appropriate review of 20-year-old legislation. We endorse that, we support that, we actually think that is a good thing. I wish they would do it on the Education Act, as that is 40 years old. They have had all sorts of reviews, but the government has still not produced a new Education Act in 11 years.

We on this side of the house recognise the importance of always striving to be better and that the planning law could always be improved. We are yet to make a determination on whether or not it is under this model, but certainly some of the submissions we have received highlight that what we are being offered is not the best option but that it may well be a good start, and we are happy to work with relevant parties to ensure that it is achieved.

The other reason it is concerning to us that the government present this as being a beneficial model to provide a better planning process, with, as they say, a level of consultation to be continued with the public—that being identified as one of the objectives of this—is that they get very sceptical of these types of offers when they are being told that, for example, a new system which is to be more efficient and responsive to community concerns.

When they get that sort of platitude, which they view as such, rather than a genuine commitment, it is because of the conduct of the minister and/or his department in recent times. I do not implicate the department in policy development; it clearly has a role in implementing government policy, and I do not reflect on it in that regard. But it is concerning, for example, when the government recently announced that they were going to publish the Playford growth area in the northern metropolitan area.

On 28 May, the government announced that they are going to have a blueprint for the growth of the Northern Adelaide region and that they had unveiled their announcement, which was essentially that there would be two ministerial DPAs issued and that there would be two rezonings. I hope it is not necessary, for the purpose of following this debate, to detail the fact that under our current development rules—that is, essentially, a zoning structure—if there is to be a rezoning of a particular use for an area it is usually done by the local council identifying an amendment. It goes through a certain process, by law involving certain consultation, and then, having the Minister for Planning's approval, it can then become the blueprint for that council to operate under.

I hope I have not butchered the summary of what happens in our development process. I hope I have fairly described it but, if the minister is to introduce his own amendment, he has the power to do so, and it has been his wont under his regime to mass-produce these on a daily basis. My filing cabinets are just about bursting with the number of DPAs that this minister has turned out, but then his predecessor was pretty good at it as well.

I make the point that if he or she as a minister is going to introduce a ministerial DPA, there is a different process, one that can, I think, be much more effective in circumventing the public—and they have a very limited role as it is. The minister can make an announcement and be available for questions about it through his department and have a panel review it, but the one thing that happens at the very least under the current ministerial DPA rules is that he or she has to put their DPA to the Environment, Resources and Development (ERD) Committee of the parliament.

Whilst they might not be seen to have any teeth to the extent of having an overriding role over the government, the reality is that, at least on the Mount Barker development, my recollection is that the committee rejected the recommended ministerial DPA and then I think from memory it may have been the chair who changed his mind and actually voted with the government members of the ERD and that DPA was allowed to go through. So at least once in the time I have been here, the majority—

Mr Goldsworthy interjecting:

Ms CHAPMAN: Is that right? The member for Kavel who is very well versed in this matter probably remembers the detail more accurately, so if I have offended the process on that or made

it incorrect, I am sure that he will remedy it; and if the ERD Committee has not made an initial decision and then changed its mind, then I am happy of course to give a personal explanation.

However, I make the point that parliamentary committees have an important role but more often than not they comprise a membership of government members and they of course, it appears, as independent as they may wish to be, almost universally reflect the view of the government of the day and do not actually exercise any independent spirit, unlike you, Mr Speaker, who of course at least expressed your view. You seem to have always fallen into line with the cabinet decisions but at least you have eloquently expressed—

The Hon. J.R. RAU: Point of order, Mr Speaker.

The SPEAKER: The Deputy Premier has been called to order. We hope this is a genuine point of order.

The Hon. J.R. RAU: It is an important point of order, Mr Speaker. I think it is unparliamentary for a member to suggest that other members who are participants in a standing committee of the parliament do not bring their absolute and total independence of mind to bear whilst discharging their duties on a committee. That was clearly, if not the inference, the direct assertion of the deputy leader.

Ms CHAPMAN: Mr Speaker, if I have in any way reflected on a member's contribution to a committee, I wholeheartedly withdraw that assertion.

The SPEAKER: Thank you; your withdrawal is accepted by the house.

Ms CHAPMAN: Thank you, sir. In establishing a regime in which the public can have confidence, just the other day the government had the opportunity to say, 'Look, here we are. We are genuinely consulting the public; we are embracing and asking them to make a contribution in the development of a plan in this instance for the northern Adelaide district, and we welcome that contribution,' and yet again they fundamentally failed. This is why it becomes very concerning to the opposition as to the bona fides of the government in what they might do under this act which, on the face of it, is to provide competitive efficient planning processes but which miss the mark.

I give you the current example of the northern area because in this instance the minister announced that there would be two rezonings centred around residential growth and employment. There was to be a DPA for the Playford urban growth areas of Angle Vale, Playford North extension and Virginia. There would also be a Greater Edinburgh Parks Employment Lands DPA. There would be consultation around this.

Obviously the government pointed out that this was consistent with their 30-year plan and we, in the opposition, have supported the government's initiative of having a plan. We think it needs to be reviewed because someone seems either not to have listened in the government or the penny has not dropped that the population predictions have significantly changed since they wrote this plan. Nevertheless, planning is important. We endorse it. We wish they would do more of it. We would love to see a transport plan, for example.

In any event, the announcement of the minister on the day was, 'This is the most comprehensive planning process we have undertaken and we will see an unprecedented level of community engagement.' I looked at that and thought this is a new era. This is going to be good. I was thrilled with this announcement of the government. It seemed that finally the light globes had gone on and they were able to see the importance of community consultation, so I, like others, immediately went to the website and downloaded the Playford Growth Area Structure Plan, this new development of an unprecedented level of community engagement, and I read through it.

I identified in it important aspects, including the infrastructure that would be necessary to underpin this magnificent new announcement. I thought that the growth structure plan was good and the government was finally going to tell us in this new 'unprecedented level of community engagement' what has to go with this development, this important initiative.

I might point out that regarding the Greater Edinburgh Parks Employment Lands DPA, I have not seen the structure plan that sits under that; it is not even on the website yet. In any event, we had a good look at this one. Here comes the disappointment, and this is why the government needs to appreciate why there is such public outrage—and I think that fairly describes it—or at the very least, considerable disquiet and almost exhaustion at trying to present to the government and to parties that are not listening. When you read this report, it is an interesting geographical summary of the area; that is helpful. It identifies some existing important infrastructure—

The Hon. J.R. RAU: Mr Speaker, I am sorry but we are getting to an area where, with respect, it would be almost as relevant for the honourable member to be reading from the *White Pages*. We are actually discussing a particular bill and we are now off on a completely different tangent which is related in a general sense to the conspiracy theory we allowed to develop earlier on in the contribution but has no other relevance to the bill.

The SPEAKER: I will listen carefully to what the member for Bragg is saying on this, the second reading reply.

Ms CHAPMAN: Thank you, sir. So as to dispel any concern raised by the Attorney's statement, I return to the clause in the second reading contribution by the Attorney in which he said, 'and responsive to community concerns' and various other statements in respect of this new process that would involve community consultation. That is why I am highlighting the most recent example of where the government has made a statement on one aspect which is encouraging to read in print but which is not demonstrably followed in action. This is why it is important that the opposition have a very clear understanding of when they are offered something in this bill that it will be followed through.

The most recent example of that was the one the other day for the north, and remember that these precinct plans are going to have a role in infrastructure, in the levying, costs, distribution and identification of who is going to be responsible for what. This is a key indicator of the government's form in relation to this.

As I was saying, whilst the structure plan that has been identified in the government's most recent proposal would presumably carry some of the characteristics that an implementation plan would have under this new precinct planning process, it is full of information about what exists currently in infrastructure, bus services, rail, water, electricity and gas—all of the usual infrastructure requirements—but it does not actually disclose what would be needed if there was a population developed in the region that has been identified. I am advised that you have other important business of the house to attend to, so I am happy to seek leave to continue my remarks.

Leave granted; debate adjourned.

MARINE SAFETY (DOMESTIC COMMERCIAL VESSEL) NATIONAL LAW (APPLICATION) BILL

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Schedule 2, page 102, line 5 [Schedule 2 clause 15, inserted section 47A(4)(a)]—After 'operation' insert:

> on the River Murray system (within the meaning of the *River Murray Act 2003*) between the border of South Australia and a line joining the upstream sides of the landings used by the ferry at Wellington

No. 2. Schedule 2, page 102, line 24 [Schedule 2 clause 15, inserted section 47A(4)(b)]—After 'operation' insert:

> in waters specified by the CE for the purposes of this paragraph

No. 3. Schedule 2, page 102, after line 29 [Schedule 2 clause 15, inserted section 47A]—Insert:

> (4a) For the purposes of subsection (4)(b), the CE may specify waters—
>
> (a) by reference to particular waters, or waters of a specified class; or
>
> (b) by reference to the waters in which a particular hire and drive small vessel, or a hire and drive vessel of a specified class, may be operated.

Consideration in committee.

The Hon. A. KOUTSANTONIS: With heavy heart, I move:

That the Legislative Council's amendments be agreed to.

Motion carried.

BURIAL AND CREMATION BILL

The Legislative Council agreed not to insist on its amendment No. 7 to which the House of Assembly had disagreed and agreed to the alternative amendment made by the House of Assembly without any amendment.

NATIONAL TAX REFORM (STATE PROVISIONS) (ADMINISTRATIVE PENALTIES) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

At 17:55 the house adjourned until Wednesday 5 June 2013 at 11:00.