

**HOUSE OF ASSEMBLY****Tuesday 24 September 2013**

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

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

**MOTOR VEHICLES (LEARNER'S PERMITS AND PROVISIONAL LICENCES) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 24 July 2013.)

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:03):** As the shadow minister for road safety and spokesperson for the opposition, it is with pleasure that I rise to speak on the Motor Vehicles (Learner's Permits and Provisional Licences) Amendment Bill for consideration in the second reading. I would like to make the following contribution. May I say at the outset that I think the opposition has a proud record in supporting government initiatives that have the benefit—even possible benefit—of reducing death or injury to our young people, particularly those, of course, who are embarking on what should be an important and responsible development in their lives, namely, to be able to undertake the driving of a motor vehicle and providing them with the independence and graduation into adult life which comes with that.

It is an important skill. It is absolutely critical to the advancement of mobility for many people in South Australia, particularly those who are young and, in particular, also those who might live in areas in South Australia where there are no other alternative forms of transport, and country people are in that category. They rarely have access to public transport by way of buses or trains, or even taxi services, and rely on other members of the family or neighbours, colleagues in sport games and the like, to be able to be mobile, to be able to undertake work, go to school and undertake sporting, cultural or social activities in their communities.

It is in that environment that I indicate to the house that the opposition has given very careful consideration to the recommendations of the government and indicate that we are supportive of a number of initiatives that are encompassed in this bill but not others. It is a question of balancing the protection of our younger people particularly. In saying that, I do not mean to completely exclude those who might be taking up licence training in more mature years but, clearly, we are talking about mostly young people who, having attained the age of 16 years, start to develop their pathway towards independence and mobility by obtaining a licence.

It is in that environment that the opposition is keen to support any initiatives which will or even might possibly benefit those who are at risk of injury or death in this process but, on the other hand, balance the necessary capacity for people to be able to operate and not be unreasonably restricted in their access to that mobility. In short, the areas of opposition will be the government's proposal to increase the time that young people must remain on their P-plates, which is proposed to be from two to three years.

The second area is the proposal to introduce a curfew for P1 drivers from 12am to 5am, upon noting that, during the development and exploration of this legislation, the government has outlined a number of exemptions, namely for employment, training, formal volunteering and formal sports. They are two areas where we consider that the government has gone too far and which are not supported by the evidence in looking at the crash analysis, and that it does not achieve the right balance for those who have other commitments.

The initiatives that have come in this tranche of reform follow some legislation that was introduced several years ago, which the opposition was proud to support. I think it is fairly safe to say that the initiatives that have been introduced, which we have supported, have demonstrably had benefit, and we are very pleased to see that. It is in that environment as well that we raise some questions about the need to progress further into the areas we have identified that we oppose.

However, it is pretty clear that, over the last 10 years, there has been a concerted effort in a number of jurisdictions—state parliaments in particular—to work on initiatives, including

legislative initiatives, to reduce fatalities amongst that 17 to 25 age group, and that has been excellent. It is still clear that the most at-risk period for people who may die or be seriously injured in a motor vehicle on our roads is in that three-month period immediately following the gaining of a licence. They are past the supervision period. They are past the initial training period. They are in the vehicle on their own, with no supervisor present.

I will not dwell on the factors of loss of confidence and lack of experience particularly, but I think it is fairly well understood that this is a very vulnerable period. I think it is fair to say that, in recognising this, it is not exclusive to young people, it is just that, clearly, for the reasons we have outlined, there is a large cohort that come into the system eager to have that advancement to independence and mobility and, of course, when they are age limited to be able to do that they come in in a rush.

But there are other people who learn to drive at a later age. Sometimes that is because they have not had the need or requirement to drive a vehicle in another country, then they have come to South Australia and there are certain obligations and qualifications to be able to progress to actually driving here in our jurisdiction. So, they may not have had any experience. Others may have lived in areas where they have had access to public transport and it is not needed and then they have come to Australia, or South Australia, and found that it is necessary, either because we do not have adequate public transport or—heaven forbid—have public transport but it does not run.

So, we need to recognise that there is another cohort of new drivers, new applicants for licensing, that need to be considered. It is fair to say that, young or old, if you are new at the job and it is a new initiative that is being undertaken, that is also a vulnerable period. Certainly, in my parents' generation, and probably other members' generation, it was quite common for women, once married, not to obtain their licence; their husbands might have had their licence. So, we have quite a cohort of people in the mature age women category in the community who have either no licence or have obtained their licence in later years. They also face the challenges of confidence, inexperience and the like, and they too can be vulnerable to a high risk time. In any event, I think it is fair to say that because there are so many in the younger group, between 17 and 25, we are keen to do all we can.

Other jurisdictions have also introduced measures specifically aimed at reducing the death toll among young Australians, and I will refer to those shortly. A number of those jurisdictions, I think it is fair to say, have kept pace or have been in advance of what we have done, but overall the state jurisdictions have learnt from each other's initiatives that have been successful and have tried to replicate that with the objective of protecting our children's lives.

I will refer to the initiatives announced by the government that have our support and then identify the problem areas. The first initiative of the government is to restrict all P1 drivers, allowing no more than one passenger between the ages of 16 and 20 for the duration of their P1 licence. There is an exemption system that sits aside to that, but in essence the passenger restrictions are to apply to new and existing P1 drivers aged under 25 years.

There will be a penalty for a breach of restriction and that will be three demerit points and an expiation fee. As noted, the passenger restriction exists during the P1 phase in Queensland, New South Wales and Victoria. Those following this debate will probably be familiar with the fact that we have a learner's period, a P1 period and a P2 period, all of which have various obligations, but, just in case someone stumbles across this contribution, I will just put that on the record.

The exemptions that are proposed include: more than one peer passenger may be carried, if required, during the course of employment; secondly, police members driving on duty, and members of other emergency services, both paid and volunteer, while they are driving on duty; thirdly, immediate family members may be carried, regardless of their age; and finally, if the qualified supervising driver is present in the vehicle, the restriction does not apply. Again, for the record, there are certain periods during this training period that a qualified supervising driver (QSD) needs to be present.

It will be necessary for the driver to carry evidence while driving if they wish to avail themselves of any of the exemptions; for example, a letter from their employer which obviously confirms their need to be driving a motor vehicle—it may be with coworkers or the like, and that will be an inconvenience, we would see; but, obviously, if the initiative is going to be readily policed, we accept that that would be part of the process and we think it can potentially make a difference.

The Registrar of Motor Vehicles will be able to make some additional exemptions for a class of persons via a *Gazette* notice, if there are unforeseen and exceptional circumstances. We

think this is important, because the Registrar of Motor Vehicles has quite a few discretionary powers, actually—they are rarely exercised, I might say—but if we have good ministers, then they are alert to any necessary additions. Quite often that can be covered by regulation, but we do give the Registrar of Motor Vehicles a fairly wide set of powers.

I think one of them still remains, and that is that they have capacity to be able to suspend licences; I do not know that that has ever been used. I remember when we had a case which came to the attention of the parliament in respect of someone being able to continue to drive. They had had a disability in relation to their sight, and notwithstanding that there had been a rather horror history of death and injury as a result of this person's driving skill or lack thereof, there had not been any exercising by the then registrar of motor vehicles to actually suspend the licence.

This did puzzle me a bit, and I wondered why we actually give them these powers if they do not exercise them. In that instance, ultimately some time later, the courts became involved and there was some action taken. It beggars belief that we give a lot of attention to dealing with some matters, yet others seem to be largely unattended to.

I think it is fair to say, in the general and very long consultation on the development of all these initiatives, which started several years ago with the government's publication of a discussion paper which was issued back in 2011, culminating in a published position by the government as to the outcomes of the public consultation, that this initiative, through that process, both survived and attracted considerable support from the stakeholders that are relevant and very interested in these types of initiatives.

These stakeholders include the Royal Automobile Association, which is responsible to its many thousands of members who are motorists on our roads, and organisations such as the AMA, the Motor Transport Association, councils in respect of road safety, and the police department. It seems that a workable arrangement for the police is enforcement, together with the primary objectives set against relatively minimum inconvenience, all accommodated in this initiative. We wish this a happy progress through the parliament and we hope that it will be well received in the community.

The other area where the opposition gives support to this proposal is the removal of the regression to a previous licence stage. The importance here is that L-platers and P-drivers who return to driving after serving a disqualification will no longer regress to the previous licence stage. It is fair to say that, meritorious as a number of those penalties were, the application of this has produced some unacceptable outcomes, and so we support the government in removing this as a consequence to this category of parties serving their disqualification.

Essentially, novice drivers will return to the licensing stage that they held at the time of the offence. The offence committed at an L will return to an L (minimum of three months), an offence committed at P1 will return to the beginning of the P1, and the offence committed at P2 will return to the beginning of the P2. As a result of removing the regression, L and P drivers will not need to re-pass the test associated with the previous stage. I think the government is responding to an issue that needed addressing, and we on this side of the house appreciate that.

I think it is fair to say that in the course of reviewing this, no evidence came to light or was put to us at briefings that the regression and the retesting requirements would actually lead to any safer novice drivers. The regression, as I think I have indicated, added to the complexity of the graduated licensing scheme, making it difficult for young drivers and their families to understand. Of course, there is also the cost to retest under those requirements. That will be saved for those drivers, now that that has been removed.

I do not want to underestimate the importance of safety. There is no demonstrable benefit here, and so we need to fix up this anomaly and minimise the confusion that happens when this is used as a penalty. The cost is not insignificant either. The whole process, in fact, for anyone to advance through the graduated licensing scheme—undertake the relevant tests, make all the applications—is quite expensive.

I think it is worth noting that a member of my own staff, a trainee, recently received notice that her provisional conditions were going to come to an end in a few days. She got notice then that she could, of course, apply for renewal of a driver's licence. She is going to be fully fledged as a driver, having undertaken her mandatory period of progress and all the testing and so on. Young Steph had achieved congratulations.

Then, of course, she got notice of what it would cost. Members might be interested to know that it now costs \$407 to get a licence with your photograph on it to be able to drive for 10 years. Of course, governments will always say that you can apply annually for less than \$100—\$56 for one year, \$95 for two years, and then it is a progressive increase from there. However, every year you renew that you have to pay a fee of \$17 just to administer the process of paying the government money for you to have the right to be able to drive.

It is interesting that in the United Kingdom—and I think this is still the case—once you have passed the test and once you have actually successfully applied for your licence to drive, you get your licence and you get it for life. There are certain obligatory tests that need to be undertaken as you mature in years, with the presumption that if you become more frail and aged you are vulnerable to more risk in your driving. In fact, we have them in South Australia obviously to protect other drivers and those who might cause injury to themselves as a result of some disability by age or otherwise.

Yet in South Australia we have this system where there is an obligation to continue to go back to the government and keep asking them, with a payment, for permission to be able to drive lawfully. It seems a rather curious system to me but perhaps if we are in government we will be able to look at some initiatives.

What is important is that in the lifetime of the government, while I have been here, some 11 years—and I think it is only about 176 days until the next election (I can hardly wait)—is that we appreciate that the very big cohort of people who are going through this licensing system are young people. They are 17 to 25 year olds, they are very unlikely to have access to significant funds to be able to afford to pay for their 10 years' right to drive and, if they are forced because of their impecunious state or do not have a mum or dad or someone to pay up for them, that they are going to have to pay annually and get whacked with these administration fees.

It is disappointing for them. They go through all these hoops and then they get whacked financially. Good luck to Steph in her driving. I also mention that she came out with me, and I thank the minister for this because we had an opportunity to visit one of the agencies that provides for the tests which I will refer to in a moment, the hazard perception test (HPT). We went out to one of your magnificent facilities, minister, and Steph from my office undertook the hazard perception test. She told me she had done it before and apparently you can go online and practise and do all sorts of things. I might give it to the shadow cabinet to see whether they succeed in getting through it. She passed it with flying colours. We are very proud of her.

It is an important initiative and, while I come to that, even to do that costs \$36, so there are lots of little costs along the way that our young people have to endure. At present a hazard perception test needs to be undertaken by anyone who wishes to graduate from a P1 licence to a P2 licence. The third of the proposed amendments, which we think the government has got right and which we will support, is that they must pass that HPT to progress from the learner's permit to P1. This brings this forward. It provides an earlier and additional opportunity for the hazard perception skills to be assessed prior to solo driving or driving without the supervisor.

The other aspect which we found a very good initiative is that drivers will no longer need to visit the customer service centre to upgrade from a P1 to P2. This has been considered in other jurisdictions already. In Victoria and Western Australia they have this system, and some of the other jurisdictions are a little later, but the reduction for personal obligation to attend we think is important because they can do it at the time they are there for the purpose of going from L to P1.

For members who are not familiar with the HPT procedure, the applicant goes into the facility and goes online. It is an electronic facility; it is like a game. I think most of the people in this parliament probably have not actually ever had to do one; if they have not, have a look at them. I think they are quite instructive because all of us have to keep up with road rules.

Most members would have had constituents say to them, 'I think the problem with young drivers is that they get into a situation that causes some danger—they are skidding on the road, a vehicle comes into the carriageway unannounced, perhaps coming in illegally or without reasonable notice—and they are really put to the test. You are on your mettle, and you have to be able to think quickly, react safely and ensure that they preserve themselves and not injure others.'

That is an aspect that commonly comes to me, as I am sure it does to other members who are looking at the contribution they can make to keeping young people safer. It is a good thing to go and have a look at, and it is a good initiative of the government to bring forward so that we protect and give every chance to our young people.

The next matter is the initiative to extend the provisional licence period from two years to three years. This would effectively mean that instead of being able to go onto your full licence, under our current graduated scheme, as early as 19 years of age, the applicant would be 20. So, if you apply for your learner's permit when you are aged 16 years—remembering that the rules currently do not let you go to P1 until you are 17—whether you are 16 years and nine months or 16 years and do the whole year on your L plates, you cannot actually graduate to P1 until you are 17.

That will be the direct implication here: all new provisional drivers, upon commencement of the legislation, will spend three years on their provisional licence. The existing provisional drivers, at the very least, will not be caught up in this; they will continue under the current system and slowly they will work through the system. It is fair to say that in some other jurisdictions, including New South Wales, Queensland, Tasmania and the ACT, they have made provision for this.

It seems therefore that the government has some support, by comparison with other jurisdictions, to progress this initiative. The opposition feels, however, that again, we need to consider that whilst there is a considerable cohort of 17 to 25 year olds who get caught up in this process, and have to develop their skills and get over several hurdles to be able to drive, who live in metropolitan Adelaide, a very significant number live in peri-urban and rural parts of South Australia—some quite remote areas.

We encourage our young people to stay on at school; whether they are going to school in their local town and need to be able to drive to that school, or they are going to a place of employment or training, and they need that access. Quite often, it is not in their local town and they need to go to another major regional area, if not come to the city, to advance their academic or training qualifications or ultimately gain employment.

So, to provide this restriction for another year does raise some questions of serious inconvenience and extra burden for those who live in regional areas. The opposition simply takes the view that this is not addressing a period of risk, remembering that it is the period after the period of supervision that is the most vulnerable time for young people, not when they are coming off their P-plates.

Another aspect is that I do not think that the government truly appreciates the inconsistency between asking people at 18 or 19 years of age to be responsible, to have legal entitlements and responsibilities, such as voting, the right to marry or even, in certain circumstances, taking up arms to defend our country, or becoming a police cadet and undertaking the management of firearms—we ask our young people to do many things at 18 or 19 years of age—and saying to them at 19, 'You should stay on a P-plate because we are putting you in that category where we need to impose conditions on you until you are 20.' I see that as quite inconsistent and unnecessary, given that there is no demonstrable benefit.

To some degree, some of these issues also apply to the perhaps most controversial initiative of the government—that is, to introduce a curfew, restricting P1 drivers for the duration of their P1 period from driving between midnight and 5am. As I flagged earlier, and the minister has noted in his contribution, an exemption system sits with this that has been expanded after consultation, and we are appreciative of that. I think to that extent, the government has listened.

However, I suggest, and I think the opposition takes the view, that the data simply does not support the introduction of this initiative. It is also important to note that although curfews, suspensions and disqualifications apply and are dotted throughout our disciplinary penalty processes when people break laws, in no other jurisdiction is there a disqualification for everybody who is in a P1 position—no other jurisdiction. It does raise the question given that other jurisdictions have been considering these matters and actually introducing curfews themselves, particularly when there have been disqualifications. For example, already in South Australia we have a disqualification in some circumstances where you cannot drive between 12 and 5am unless a QSD is present for a year. That is a penalty situation that we already have. It is an initiative that we supported.

In Western Australia they have a 12am to 5am curfew for the first six months only on a P-plate and they can apply for exemptions. During the briefings that I had—and I think it was evident through some other submissions—no apparent data has been produced to confirm whether or not that in itself has been successful or whether it has just become an absolute nightmare for local police or, in fact, as one would expect, young people are smart and perhaps driving between 12 and 5am and not displaying their position of being under the graduated licensing scheme and

therefore avoiding detection by a passing police officer who might think, 'Oh, I'll pull that P-plater over because it's 1am and I will deal with it.'

Victoria, New South Wales and Tasmania have no restrictions whatsoever, similarly with the ACT and the Northern Territory. Queensland—just for completeness—does have a penalty position for one year from 11pm to 5am for disqualified drivers under 25 but, again, there are some exemption provisions.

Western Australia has started a much more narrow initiative. Some others use it as a penalty, but the rest have clearly considered it and rejected it. Why would that be so? I think for exactly the same reasons that the opposition takes the view that the curfew initiative has simply gone too far. It is fair to say that thousands of other young people, in their electronic protest to this, have also sent a very clear message—why should we be significantly inconvenienced either to not be able to drive at all or to carry around a volume of documents to say that we are on our way home from the football club, some formal sport, are travelling for a CFS voluntary position early one morning or have employment obligations?

Firstly, why should that happen and, certainly, why should it happen for people who are law abiding and working their way through the graduated system in an orderly and compliant manner? It just seems beyond belief that we would be penalising all those thousands of other young people to not be able to drive in that time frame.

Just this week I was in Grenfell Street doing some media on another issue—as most members would appreciate it was something to do with the trains, which is a regular occurrence—when somebody came up to me and said, 'I am Miss So-and-so. I live in Tim Whetstone's electorate.' I said, 'That's great.' She said, 'I have taken up this issue about P-platers.' I said, 'Yes, Mr Whetstone has raised those matters with me. He is very concerned as well about what's going to happen.'

She said, 'Well, let me tell you, I've got a son who's going on his P-plate and he works at Hungry Jacks in one of the local towns up there. He comes home at 3am. He does the job during school holidays. Is he going to have to go and get a letter from his employer for the school holidays when he does it and then the next school holidays because it's not continuous employment, or, if he gets a job at the local hardware store, is he going to have to get another piece of paper and documentation?'

I thought this government was into getting rid of red tape, yet we are going to be overloading these children. I can imagine what the glove box is going to be like. It is going to be full of all these forms and letters to say that they play sport or that they are in the CFS or that they work at the local hardware store.

**Mr Treloar:** And they'll be in the other car.

**Ms CHAPMAN:** That's right, yes. The member for Flinders reminds me that they will be in the other car because, remember again, we are talking about the younger population who may be wanting to access another vehicle that may be in the household or on a property that needs to rely on different vehicles for different purposes, whether mum is taking kids to school or dad is taking them to a school function or is going to be using that vehicle to work in with transporting a tractor or a truck. There are 100 reasons why vehicles become inaccessible and are not available and, therefore, need to be changed.

We do not see this initiative as ticking any boxes that are going to make it either reasonable or convenient for the P-plater or their family. We see it as an unreasonable imposition on employers or sports clubs and the like. We see it as, probably, at the very least, an inconvenience to police officers in being able to monitor and detect this.

I qualify that by saying that I did ask a SAPOL representative whether they felt this would be an unreasonable imposition on their time: to have to pull over somebody who is a P-plater and who is still displaying that, who has not wised up to the fact that they could take it off the dashboard—or wherever they put them these days—and go through this process. I am paraphrasing this, but they said that that is a legislative obligation and is something that they would undertake and, if it is for a safety initiative, they would follow that.

It is interesting that when I asked SAPOL about whether they were prepared to do this, they said, 'Yes, no problem. It might be a bit inconvenient, but we'll do it.' But when I asked them about how we might be able to minimise the unreasonable burden on people who get picked up for being unregistered (having not actually received the notice) and asked them for support about

whether they would find it too inconvenient to have put in the notice to be able to check and, if it was clear that the Registrar of Motor Vehicles had, for whatever reason, not sent a notice, that those people should be exempt from prosecution, they said, 'No, that's too hard; that's too inconvenient. We don't want to be troubled with that. We've got much more important things to do, arresting criminals and the like.' I just find it very curious that we have that inconsistency; nevertheless, they say that, on balance, it is something they would undertake because, of course, the legislation would require them to do it.

So, let us just have a look at it. The curfew will mean that the night-time driving restrictions will apply to new and existing P1 drivers under the age of 25 years. The penalty for breach of the restriction will be three demerit points and an expiation fee. The exemptions, as I indicated, have now been expanded. They will be:

- driving to and from work or during the course of employment;
- driving to and from education or training or during the course of education or training;
- driving to and from formal volunteer work or during the course of volunteer work;
- driving to and from formal sports training;
- police members driving on duty and members of other emergency services, both paid and volunteer, driving on duty; and
- of course, similar to the other, if a QSD is present in the vehicle, then a restriction does not apply.

Here again, as I have indicated, they will not only have to carry all the documentation in the glove box, as proof of sufficient circumstances of exemption applying, but guess what? They also have to be driving by the shortest practical route. What does that mean? I do not know whether the government has any understanding of what is actually out there outside of Adelaide. Sometimes, I just despair.

Clearly, people have to make a judgement about how this is going to apply and I certainly hope—and I would expect in almost every circumstance—that local police officers might actually exercise some common sense and understand the circumstances that a person might be in. Obviously, the easily-identified breach of this would be if someone decided that they would go to work but on the way to work they would stop off at a mate's place in a neighbouring town, have dinner, do a few things, go through somewhere else, pick up a friend and then go on to work—

**Mr Treloar:** Pick up the girlfriend.

**Ms CHAPMAN:** Pick up the girlfriend—that's right—and then go there. One can only assume that this is designed to stop people flouting it. In other words, if you are out there and you are able to drive, it seems that you are safe enough to be able to drive if you are going to and from your formal sport or to your work or the like but, somehow or other, you are not competent to be able to drive via some other place. It just beggars belief.

I think of someone who might obviously have a change of route of travel. If they are going off to a shearing shed at 6 o'clock in the morning, ready to start on the board at 7am, they might be picking up other employees and all of that would be part of their normal employment, but then the boss or the shearing contractor rings the night before and says, 'I need to get you to go and pick up someone else,' or 'Look, my daughter's coming home from school on some train, so can you stop and pick her up on the way?'

There can be lots of different reasons why there might be a deviation of route but the most obvious to the government ought to be—which will not necessarily be in the knowledge of the local arresting police officer—that the other roads that they could go down are not even in a fit state to be able to go down. I urge members who actually represent regional areas or who go to the country to have some understanding, when they consider this, of the state of our roads in South Australia. They are bad enough in Adelaide: wait until you get outside the metropolitan area.

And if there is a potholed road or an unsealed road that has become slippery with a greasy, clay surface, or if there is a dangerous point of entry because of stormwater or high rainfall in a creek crossing, these are all normal activities that would cause you to take a different direction, because the driver is thinking about the safe way to travel.

People out in the country, whether they are visiting from Adelaide or whether they are living out there, have a pretty good understanding of all of the circumstances—not just some flash flood. I am not talking about some emergency where obviously this would not be raised, I am just talking about daily trips of people who live in these areas particularly who have to make changes to their trips to be able to remain hazard-free and/or free of damage to their property—namely, their vehicles—from skidding off the road and wrapping themselves around a tree.

I just remind members, when they are considering this aspect, that those of us here in the city might be thinking up ideas which might be good and sound good but which, in the real world, are going to be difficult to apply. And heaven forbid that you should have to go and get an addendum to your letter to be able to deviate from the shortest possible route. You will be finished with the glove box and starting to fill up the boot by the time you finish complying with the obligations.

If that does not convince members of the idiocy of this proposal and the lack of understanding of how it will adversely impact our young people, let me put this. The evidence which has been under analysis, I suggest, does not demonstrate that there is any greater safety benefit from this initiative, and let me put this situation first.

The government says that, in considering whether there would possibly be a benefit in introducing a night-time curfew and, indeed, passenger restrictions (which, for reasons, have now been relaxed and the latter of which we are now supporting), there had been an analysis of 5,000 casualty crashes which examined the individual crashes of all P1 licence holders aged between 16 and 24 years between 2008 and 2012. All the casualty crashes that fell into one of the proposed restrictions were considered and the ages of the injured passengers were determined, where possible, as was the time of the crash.

The casualties that resulted from the crashes were then calculated and from that analysis the government, through the department, published this. The overall total number of injuries that had the potential to be prevented if the restrictions were in place in 2008 were: 22 fatalities (on average, four per year), 240 serious injuries (on average, 48 per year) and 1,397 minor injuries (on average, 279 per year).

They published evidence that as at 30 June 2013 there were 159,367 individual licensed permit holders aged between 16 and 24 years, and 75 per cent resided in metropolitan Adelaide and 25 per cent in rural areas. They then provided a breakdown of those in the various L permit, P1 licence, P2 licence and full licence categories. We are talking about tens of thousands of young people with a P1 licence. Out there, as at 30 June, there were 38,351 holding a P1 licence. These are the ones who do get caught and will have this curfew imposed on them.

It is little wonder we have had outrage from the young community. The reason I particularly say that is that they know, and we know, that the very large proportion of them are out there doing the right thing, day and night, and they are going to be penalised and treated the same as those who have breached the responsibility, the privilege, that they have been given in being able to advance to have their full licence.

The reality is that, notwithstanding that data (and members might note that the sample which they took for analysis concluded in 2012) and, as important as that work is (and I have no doubt that it is reliable to the extent of the information that has been given), in the publication of this information it omitted to tell South Australians what the reality is of the actual number of people who have died or been seriously injured, firstly, outside of 12 to 5am. In fact, when you analyse that data you find that the biggest area of risk is from about 6 o'clock at night to midnight. That is their big area of risk. Why are we not introducing a curfew to that? For obvious reasons: they will be working—I am waiting for it. Is the minister going to introduce it as an amendment? I do not know.

**An honourable member:** Don't give them too many ideas.

**Ms CHAPMAN:** Heavens, don't give them too many; that's right. The reality is that if this is genuinely an initiative to protect and save young people from serious injury or death, then, hello, we picked the wrong timeslot. That is the reality. The other thing that we have to understand is the question: what is the ill that we are curing here? What is the current data telling us? While the statistics provided by the department tell us that 16 to 19 year olds are disproportionately represented in fatality and casualty crashes and crashes involving cars with multiple passengers, the evidence does not exist to suggest that 12.00 to 5am is when the highest number of crashes occur.



So let us get real here about what the initiative does. It has missed the timeslot, and I think the government needs to be fully frank about what ill we are attempting to cure. I do not doubt for one moment the motivation of the minister or other members on all sides of this house, who will stand up and say, 'We have to do everything we can to save a young person's life. One life is important. One life from the road toll is too many.' I do not disagree with that—of course it is—but we have to understand that people are driving around in motor vehicles and it is a combination that creates risk.

If we are going to have initiatives to minimise that risk let us focus on what demonstrably works, what is likely to work or what will cure a particular ill that we are facing. The reality is that there has been progressive work by this government—including previous governments, but this government has also been a part of it—on initiatives that have worked, largely with the support of the opposition. Some of these initiatives were introduced just a few years ago and are now applying in 2012-13 which, of course, have not been captured in the data that has been analysed by the department and presented for publication. No; that pre-dates the benefits of all of the tranche of rules that we introduced, which are only just starting, in the time frame that the government analysed the data.

I find that all very curious, but unhelpful in the end, because we need to look at what the situation is. The situation is that the data tells us that important initiatives of this government, supported by this side of the house, have come into play and they are clearly working—and that is great. As I say, we will always support initiatives that work. However, the reality is that the number of fatalities of 16 to 19 year olds who have died in a motor vehicle accident or as a result of a motor vehicle accident between 12.00 and 5am in 2007 was eight—a shameful waste of life; in 2008 it was six; in 2009 it was five; in 2010 it was four; in 2011 it was one; last year it was one; and this year to date, none.

Good job by the government; well done. Well done to the department, which brought forward initiatives: the government introduced them and we supported them—it is working. What is the justification, with that data, for imposing a regime which will adversely affect, with no added benefit, young people and families who are law-abiding, and particularly those who do not have access to any other form of transport? It is disgraceful, really, that the government seems to be so completely ignorant of the basic data which shows that what it is doing is improving the safety of our young people and yet it seems to be quite dismissive of the inconvenience that it might cause to tens of thousands of people, particularly young people.

Of these young people, 25 per cent live in regional areas and a good number of others live in peri-urban areas. They are lucky, if they even have a train, if it is running at all or on time, and yet we are asked here in the parliament to support something that is blatantly unnecessary and will be ineffective. I despair at the zealous progressing of this by the government. I do not know whether it is to make the government look good by trying to deal with something that has been raised on talkback radio.

I do not doubt that there are always genuine attempts by the whole division of road safety, the department and the minister. Again, I do not question that the minister is trying to do whatever he can to make sure that our young people do not die on the roads, but fair crack of the whip: this is just going too far; this is not necessary. What the government could do is go out and say, 'We introduced reforms several years ago, and they are working,' and you will not get any criticism from me or from people on this side of the house; we were pleased to support them. But do not ask us to do something that is going to punish innocent people at a time of their life when they need to be encouraged, recognised, rewarded and supported when they are doing the right thing.

I ask the government, right at this eleventh hour, to recognise that this is not a smart move. This is not something that is going to help young South Australians; this will place an unnecessary burden on our young people. The thousands of them who have signed up on electronic petitions to say, 'We reject this' ought to be listened to. The reason it is so important that the government listen to them is not that they get a vote or that they are coming onstream.

The reason it is so important is that they are the ones who are the victims of road crashes and fatalities. They are the ones, on the face of it, who are being embraced in this legislation to provide protection, yet they are saying to us, 'This is unfair. You may be wanting to protect us, but you are putting an unfair burden on us. You are punishing us for something that we haven't done, and we want to be released from that.'

I conclude by thanking those in the department who did follow up with material, and I thank the minister for explicitly providing some responses to regulatory provisions and also for providing statistical information. If only he could convey that level of courtesy and prompt response to some of his colleagues in the ministry, one of whom frequently disregards that, I would be very appreciative. Nevertheless, I thank the minister for that and I thank those who provided the briefings to me and other members.

**Ms SANDERSON (Adelaide) (12:08):** I rise to speak on the Motor Vehicles (Learner's Permits and Provisional Licences) Amendment Bill. I concur with the lead speaker and Deputy Leader of the Opposition that we are very supportive of any initiatives that will save the lives of our young. Certainly, from the feedback I have had, many believe that education is definitely the key, and the resulting reduction in fatalities from 2007 to 2013 for 16 to 19 year olds show that the government's initiatives and education program are starting to work for that age group.

That brings me to question why it is that that particular time period was chosen, given that, while statistically 16 to 19 year olds are disproportionately represented in fatalities and casualties from road crashes, there is no evidence to suggest that the 12am to 5am time period is when the highest number of crashes occur. As also mentioned by the previous speaker, in 2011 and 2012, there was one fatality between the hours 12am and 5am in each of those years, and for this year so far, there have been zero, which is, of course, ultimately the number we were looking for. However, to punish all of the P1-plates during that time period is quite unfair and unjustifiable given the statistics.

I wanted to speak briefly on the record. I put the question on Facebook and I had a large number of people responding, and there was a really good discussion to and fro between different young people, and those who were on their P-plates and how they were affected but, overwhelmingly, it was the curfew that they were most against, and they could not see the reason for that, and they felt that they would be seriously disadvantaged by the curfew being brought in. I wanted to put on the record some of their comments because they went to such effort to make me aware of how they felt.

Some of the comments—and these are from people who have given me feedback on Facebook—and ideas for reducing fatalities on our roads and improving safety on our roads are: to retest offenders yearly, so those who have lost their licence through bad driving to be tested yearly until they prove they are capable drivers; to teach courtesy and compromise; and to have compulsory advanced driver training. I must say I think that that is a really good idea and, even every 10 years when we renew our licence, I think it would be a good idea to remind people of where you can go to participate in advanced driver training. Even if there was some kind of incentive, a discount if you did it within three months, or that you could show your insurance company and get a reduction off your insurance premium, I really think it would be wise to encourage everybody to go through advanced driver training.

Someone from Rotary mentioned that they have a rider program which is a very good educational program that could be more widely used and promoted, so I guess that would be up to Rotary to get it into all of the schools. One suggested that perhaps parents or the driver should be making the decisions and choices, so taking some personal responsibility. One also mentioned that in England, as part of their learner's test, it includes knowledge about crash statistics and fatalities so that young people going for their licence are aware of how dangerous it really is statistically. One mentioned that if the government thinks the 12am to 5am time period is more dangerous then perhaps they should increase public transport at this time. Some believe that they should have training on a racetrack where they can emulate dangerous situations.

When I was a new driver, I remember skidding when I tried to turn right too quickly on a wet road. I had never experienced that before and the back end of my car spun out. Luckily there were no cars but had there been more traffic that could have been quite dangerous. That is not included in any of our driver training so it could be a good idea for young people to actually practise in wet conditions on a racetrack where you can control what you can hit. Some have suggested that all drivers should learn in a manual car. I know in Victoria when I was young, you either had an automatic licence or a manual licence. In South Australia you can do your whole driving test—well, you could when I went for my driving test—in an automatic car, yet you get the same licence.

Clearly it is a lot harder to drive a manual car. I have a manual car now, but even after being an experienced driver going from an automatic to a manual, I certainly had a few near-death experiences given that there are so many extra things—the clutch, the gears, mirrors, indicators, everything to do at the same time. If you are in a crisis situation, I think that all young people

probably should have to have some lessons in a manual car; and also for safety, if there was an incident and they had to drive their parent or somebody who had passed out or had a heart attack or something. If you cannot drive any car it makes it very dangerous if you do attempt that.

Some suggested limiting the engine size to four-cylinder cars for new drivers. More education was certainly mentioned by many people. In general agreement, everyone thought that it was a good idea to bring forward the hazard perception test. One of the reasons that some of them had sat on their P1s longer was the cost of that test and also the inconvenience of having to go into Service SA again, when young people have busy lives and getting into the city—or if you live in a country area, there might not be a Service SA outlet very close to you. I think bringing that forward would be one less trip they have to make; hopefully then they do not have to pay the extra fee as well, because they are already paying a fee. They were the main issues.

I will also mention one issue that has come to my office that is not specific to this area but linked, and that is that of international students driving, many of whom go home to their home country every Christmas and can renew their international driving licence and come back. Some could be on an international driver's licence for three or four years—however many years they are in Australia as students—and at no time have they ever actually sat our driving test.

It was brought to my attention that some international students were actually abusing this privilege, knowing that they could not lose points and knowing that they could not lose their licence. I assume they would have an address where they could be fined, but they know that no matter how many driving offences they cannot actually lose their licence, which is quite dangerous.

I have also had reported to me by a worker at Inverbrackie that asylum seekers are also allowed to get international licences, even though they do not come with paperwork in most instances, and she was aware of some who were using their cousin's ID, because they looked similar, and their cousin had a licence. It has been brought to my attention that there are even people who have never even had a licence in their own country, but have been able to utilise ID of a cousin or someone who has a licence, in order to be able to drive on Australian roads.

That is an area that my office has been trying to get to the bottom of, but there does not seem to be a system for recording points or for encouraging people who are here for three, four years or more as students to actually apply for an Australian licence. At the moment they can just sit on an international licence and renew it every year, as I mentioned, so I see that as one of the danger areas the government should be addressing.

To summarise, it is a great idea to do anything that will improve the safety for all road users, particularly our young. The curfew was the area to which there was most resistance from the people to whom I have spoken and surveyed. As mentioned by the deputy leader, we are also opposed to the extension of the P-plates going from two to three years.

**The Hon. R.B. SUCH (Fisher) (12:17):** This bill contains some very good measures. The scheme relating to restriction on driving time for young drivers in particular (most are young, but not always) I raised as an issue 10 or 15 years ago. It has been operative in New Zealand and parts of the United States for many years, and I believe it has merit. We know what happens when young people drive around: particularly young males, through peer pressure, will urge the driver to do things they would not normally do. There is merit in having some restriction about passenger numbers.

In terms of the night curfew, I think the research is a bit ambivalent, but I think it will help. However, I do not think the research is all that conclusive. The change from two to three years for the minimum time for a provisional licence—I do not think there is much evidence to back that up either. If these measures save one life, then they are certainly worthwhile. I lost a nephew back in 1990, a long time ago now, but the pain still lingers on. He was a passenger in the back seat of a car with a young lass from Murray Bridge—they were both killed when the driver lost control, hit a stobie pole side on and killed the two rear passengers.

Sometimes you have to be tough in order to protect people from themselves and, certainly, at times protect them from others. I think any changes in road laws should be based on clear research and science. I met recently with researchers from the road safety research centre at the University of Adelaide. I had a very long discussion with them about a whole range of issues. I think any measure that is brought in to change driving rules, and so on, should be based on sound science and research.

I was one of those who got my licence the day I turned 16. It was not called a P licence then; it was just a full licence. I drove for more than 40 years without an accident, without even a speeding fine until one police officer, who did not uphold standards of integrity, falsely accused me of speeding in 2008.

*An honourable member interjecting:*

**The Hon. R.B. SUCH:** He was; he was a liar. Gregory Luke Thompson—he lied about his location. Anyway, I just make the point that I did not go through the P1 and P2 process, and I did not have an accident and, touch wood, I still have not, and I never incurred a speeding fine until that false allegation by a dishonest copper. The point is, in days gone by, many of us learnt to drive before we sought a licence, and that would be true of a lot of people from a rural background. We had land at the back of Hawthorndene, where we used to drive around in old cars. We should have kept them because they would be worth a lot of money now. We used to learn to drive long before we sought a licence.

I think that raises the point that the emphasis should be on driver training and proper driver testing. Currently, the system tests to see whether you can park a car on a sunny afternoon in a suburban street. That does not prepare you for overtaking a road train or, as the member for Adelaide just pointed out, dealing with wet weather conditions. The current driver training and driver assessment system is inadequate, and I think it is also open to some degree of abuse. Young people shop around to find the instructor who will get them through in the shortest, least costly period of time; so I think that needs to be looked at.

There needs to be greater use of simulation techniques. I raised that about 15 years ago. I wrote to the then minister suggesting that use be made of simulation techniques, and the answer came back, 'Oh, we can't afford something like that; it costs \$30 million.' They were talking about a crash simulator; I was talking about a driver training simulator. The technology has improved now, so that people can simulate road experiences quite easily and cheaply via the available technology, and it should be more widely available.

We do not put pilots at the control of a jumbo jet until they have gone through a simulation course. We do not put train drivers, who drive long-distance freight trains, or drivers of earthmoving equipment suddenly in charge of a freight train or a large excavator, and certainly not if you want to become a pilot. Why we have not translated that approach to driver training escapes me. I have tried to lobby for it. We are getting some of it now but nowhere near what could be done. You can simulate all road situations without the cost of having an accident or the harm that is caused when you learn in the hard world.

I think there is clearly a problem in that police pick on P-platers. How do I know? I have three sons. They are all older now, but they were picked on. They especially love to pick on them if they know they are the son of an MP. We changed the vehicle for one and never had a problem after that. It stands out like the proverbial country toilet if you display a P-plate. I do not see why we cannot have a system where you have to abide by P-plate-type rules but not necessarily have a P-plate. We could extend this plate system—and I am saying this tongue-in-cheek—and have 'silly old git' on a plate, 'SOG', 'ex-drunk', 'grumpy old so and so' or something, to identify people.

What we do is identify young people, and at times they cop, I think, undue harassment and undue surveillance from police, when surveillance should be on every road user, not just those who happen to have a P-plate. I think at one stage Queensland did not require a P-plate. I am not sure whether they have changed that now, but they worked on the basis that you had to abide by P-plate rules, so if you get pulled over and you are not abiding by them then you get the book thrown at you.

I think there should be more emphasis on refresher courses and a requirement for serial offenders to undertake driver training again. I think the standard of driving is pretty woeful. Every day, there are tailgaters and people who cut in where the road goes from two lanes to one—they want to beat you and get in front of you. The standard of driving is really appalling. I would suggest that people who are serial offenders should be required to undertake a proper driver training refresher course.

I also think we should see the reintroduction of the police lecture and make people pay for the privilege of attending. I think that was a good initiative years ago and it does not have to cost the taxpayer or the police department anything. People should have to pay and be required to go along and hear a lecture on how to drive safely. It should also incorporate some basic information

about the laws of physics: car hits tree, tree wins. People do not seem to understand basic physics, so you get people tailgating.

At roundabouts, as someone said, the indicator is to show where the car has come from rather than where it is going. I think roundabouts are more like Russian roulette, because in many cases they are not true roundabouts, they are just an obstacle in the road. A true roundabout is where people can change lanes, for example, as per the UK model. Irrespective of whether they are the right size or not, the fact is that people here do not seem to know what to do when they come to a roundabout. It is usually put your foot down and see if you can get through before someone else enters the roundabout.

In terms of policing, I support the installation of fixed cameras. I do not understand why every day we read that there is a mobile camera in the same old location: Main South Road, O'Halloran Hill. For goodness sake, put a fixed camera there and catch people. They work 24 hours a day and are more cost effective in the long run than having a person sitting in a car coming back to the same old spot.

Likewise, with young people, I think the emphasis should be on getting them into safer cars. Sadly, young people tend to drive the least safe vehicles, unless they happen to have a rich parent, so you see them getting around in cars which do not have the full range of airbags and safety equipment and which are not designed to crumple properly in an accident. I know some countries have had a scheme where they assist people financially to upgrade their car to a safer one, and that particularly applies to young people. Why the most accident-prone age group should be getting around in the least safe cars does not seem to me to be a rational approach by our community.

I have heard of parents saying, 'Look, we have bought a car where they can only have a limited number of passengers,' or it is a solid vehicle, because they are trying to deal with this issue that young people, generally, as drivers are more likely to have an accident than older drivers. I think the emphasis across the board should be that young people are encouraged and assisted maybe into getting a safer vehicle, so that if they do have an accident there is less likely to be harm to them and others.

I think some of the focus in this bill is tough but, as I said, sometimes you have to be tough. Nowadays we have become very used to saying yes, and we see it with parents—and I do not profess to be an expert—who want to be a friend of their children rather than a parent. You have to be both at times, but sometimes you have to be able to enforce proper standards of behaviour, and that includes teaching people how to behave on the road.

We seem to have a society that is filled with anger. I am not sure of all the reasons for that, but a lot of people are often in a hurry when driving and also they are often angry, and that anger comes out not just in the extremes of road rage but also in their general driving behaviour. I think we need to look at ways in which people can dissipate their anger, whether it be through physical activity or something else. People who are angry, or anxious, behind the wheel of a car is not a good recipe for safety, for them or for anyone else.

Overall, I think some of the measures in this bill are tough and particularly impact on young country people. There are exemptions, but obviously if you have too many exemptions the whole thing becomes farcical because it would be impossible to implement. I think restricting the number of people in a car, when you have young people involved, does have merit. I do not think the night-time restriction is a big deal at the moment, in terms of statistics, and I do not think that extending the provisional licence period from two years to three years is justified.

In my lifetime we have gone from no requirements regarding P1 and P2, but I realise the world has changed. Cars are a lot safer now than when I got my licence. I think we need a package of measures, including proper driver training and testing and a requirement to repeat that when people become serial offenders on the road. What we need is a package of measures rather than one or two little snapshots which may help. I think the whole issue of driving on the road needs to be addressed in a more comprehensive and research-based way.

**The Hon. L.R. BREUER (Giles) (12:31):** I rise to support the bill. I have listened to comments from the other side. Being a country member myself, my back certainly goes up when I hear some of the proposals. I was much horrified by the proposals and thought: 'You can't do that.' However, on thinking about it, I have changed my mind. I understand the issues for young country people particularly and I am also concerned about proposals to look at changing speed limits in country areas and to look at the rationale behind that.

I understand how parents would be feeling about some of these proposals, but the fact of the matter is that so many young people die on our roads, particularly our country roads. I know of one notorious section that I pass through at least once a week between Port Augusta and Port Pirie where there were three serious fatal crashes within a few months a few years ago. Every time I go past there I think of them and I think of those young people, because I knew a couple of them who died in those crashes.

There has been much said about country roads and country drivers. It will inconvenience those young country drivers, but the legislation does cover employment requirements, which would be a big problem for some young people in the country having to go home from work. Certainly, having been a parent in the country, there is no way I would have got up at midnight to go and pick up my kids from work: it is just not on. It also, I understand, covers sporting obligations, if they are out playing sport, and that is a big issue for country kids. It also covers family members, so you are not just going to take home the younger brother and the younger sister is left there waiting so you can come back and pick them up.

What do we have left? We have a lot of crashes and a lot of young people being killed on country roads and this is very often caused by joy-riding. You get a car full of young people, they are out to impress their mates, they are fuelled by grog or drugs and the testosterone is raging. It is often a good car; it is often mum and dad's car that they are in. So, they are out there, they are showing off and they kill themselves, or somebody within the car.

Unbelievably, I was young once, back in the sixties. I got my licence very young, as we all did. Virtually on the day you turned 16, or two weeks later, you got your licence because you had been driving around on the country roads for years, the back roads, you knew how to drive and you went and got your licence straight away. I used to fill the car up. I would put two bob's worth of petrol in, disconnect the speedo (I knew how to do that) and go for a ride and take my mates with me.

I am not sure whether this is just a Whyalla term, but I used to 'chuck a beachy' or 'chuck a mainy', which meant you drove down to the beach or you drove along the main street. We had fun, and we got away with it. I never managed to get myself in any situations where I was in trouble because I was fairly conservative in those days—of course, I am completely different now.

My understanding is that this legislation has been introduced after it has been carefully considered by the police officers, and they are the ones who have to go around and knock on doors when somebody is killed and tell the parents, 'I'm sorry; I've got something to talk to you about.' The trauma for them is incredible, as is the trauma it leaves on families. The member for Fisher mentioned that he lost a nephew a long time ago; it would still be a big issue in that family. So, families are devastated by the loss of young people.

I understand this has been very carefully considered by the road safety people, and they are the ones who have all the figures. I like to argue, 'Oh, you know, it's not always the country kids; why are we doing this sort of thing?' Road safety people do have those figures; they know what causes the deaths. It is not just the deaths, it is also the severe injuries that happen to young people, where they are left, for life, in wheelchairs or with other problems.

On Friday night, I attended a wonderful event in Whyalla held by the Phoenix Society. The Phoenix Society Incorporated has quite a big workshop in Whyalla, with people working there. I went along to a social function they had on Friday night, and I was particularly taken with a young man who was a wonderful dancer, a great dancer. He would have put John Travolta to shame, in John Travolta's young days, but I do not think he would probably have much problem now.

He was a wonderful young dancer, and I commented on him and was told that he never had any problems when he was young but that he had a car accident when he was 18 or 19 and sustained brain damage, and now his whole life has changed. He is working in Phoenix and is reasonably happy there, but one wonders what he could have done with his life if that car accident had not happened. So, it is not just about road deaths; we are talking about serious injuries which can also completely change the lives of people and their families, and they carry that burden forever.

I am very supportive of this legislation, despite the fact that I am a country person and a country mother. I have travelled on all those roads out there: north of Port Augusta, across to the Western Australian border, up to the Northern Territory border and across to the New South Wales. I have travelled regularly in the member for Stuart's electorate, and I have travelled thousands and thousands and thousands of kilometres on those roads.

I believe that in addition to what we are doing with this we really need to look seriously at our roads. I think our roads do need work done on them. We have done some incredible work over the last few years, and it is really interesting when you go out there now and see all the barrier fences that have been put along a lot of those country roads. The member for Stuart would also probably be familiar with this. There is now fencing in areas where the roads are really quite dangerous; it may not stop people from going over the top, but it has certainly put a barrier there, and it is also a real reminder.

We have also done a lot of work on clearing vegetation from the side of the roads so they are much clearer, but there are patches where you know there are cows on the road, you slow down, and you are very careful on those patches of road. The condition of some of our roads and some of our highways is really good, but others need extra work done on them. That is a long-term issue; whoever is in government has to really keep looking at that in those country regions and roads.

We have problems with trucks—a huge number of trucks now pass through. If I go home on a Thursday night from parliament, the number of trucks we pass is absolutely incredible; Thursday night seems to be the real truckie night. Another big issue is the grey nomads who are out there in their caravans travelling all over Australia—they drive you mental! It is not always speed that kills; in fact, I think that people going too slow have as big an impact on our roads as those who are going too fast. I see a lot more drivers who are going too slow than I see drivers who are really speeding.

**The Hon. J.D. Hill:** It's a relative thing, of course.

**The Hon. L.R. BREUER:** Well, that's it. The other issue I am sure my country colleagues would agree with me on is city drivers, who create a lot of problems out there. I will just quote what many of my constituents say—of course, I would never say it. The city wankers who are out there on the roads driving their cars on our outback roads cause a lot of problems. It is the road rage that results when you are stuck behind a truck or a caravan and there are six or seven cars there. I see people take really silly risks, especially if they are not local and they do not know where it is safe to pass and where it is not safe to pass. I have seen many a near miss when somebody has taken off, trying to pass four or five cars and a truck and getting themselves in all sorts of difficulties.

The other problem we as country drivers have is the distances involved, and that is why I am a little bit concerned about some of the proposals to lower the speed limits. We need to think very carefully about this because, for example, if you live in Port Lincoln and if our speed limits were to be lowered, you would add at least an hour on to your trip. Coober Pedy is the same. For Whyalla you would add half an hour or three quarters of an hour on to your trip. Then there is more driver fatigue. That is a real issue, I think. There are certainly lots of roads in South Australia where we could and should lower the speed limit, but I would ask those powers that be to certainly be very careful about the highways.

*Ms Chapman interjecting:*

**The Hon. L.R. BREUER:** Yes; happiness is Adelaide Hills on your right. I would ask them to be very careful about considering those speed limits, because I think the driver fatigue issue and the distance come in there. An extra hour on your trip when you are already taking seven hours to get to Adelaide is a lot. The other day I went from Roxby Downs to Adelaide—hell, it is a long way to get to Adelaide from Roxby Downs, and there are people who are driving that every weekend.

The other issue, of course, is seatbelts—making sure that country people have seatbelts on. I cannot understand how anybody can get in a car and not automatically put their seatbelt on. I feel like there is something wrong if I do not have my seatbelt on; there is something missing, as if I have not got my watch on or I have lost my left leg. Seatbelts are a real issue. Young people will get in there, pack them all in, and they will not put their seatbelts on.

I think we have had some very good education programs in recent years on road safety. They are very much in your face. The signboards that are around the state are really good, and some of them are really effective. Particularly that campaign with anchors—

**Ms Chapman:** Wankers.

**The Hon. L.R. BREUER:** Yes—and doorknobs and all sorts of things. You sit and look at them. I took some time to work out the one that said, 'Three quarters of people wear their seatbelts, 95 per cent of deaths don't.' That took me a while. I could not work out that that was a seatbelt for a while. Anyway, they are in your face; you look at them, you see them and you think about it when

you are out there driving. There is one in particular between Port August and Whyalla that says, 'Mum and Dad, slow down' or something. That always catches my eye as I go past as well.

We have had some really good education programs, and I think most people see them and understand what they are all about; but if you are young, it just goes over your head. They do not think about it. Young people think they are invincible. They think they are never going to be killed, nothing is ever going to happen to them, and off they go. I think this legislation will certainly help with that. I think it will restrict a lot of young people from getting out there, showing off and doing all those silly things that probably we did in our youth but got away with.

Now it is a different world. The cars are much more powerful and the roads are much better, and I think that has had an impact. It was pretty hard to speed between Whyalla and Port Augusta when it was a dirt road, but nowadays it is a pretty good road. I do not believe there are enough passing lanes on that road and people do take silly risks. As I say, making our country roads safer is something that all governments, federal and state, need to look at in the future. In this instance, while I think it will be a bit of an imposition on lots of young people, hopefully it will save lives and save them from getting those terrible injuries, and I would support it.

**Mr VENNING (Schubert) (12:43):** I rise to support the general tenor of this legislation. We all support legislation that will assist safety on our roads; there is no doubt about that. I heard what my shadow minister had to say earlier in relation to that, and we all would say, 'Hear, hear'. Yes, we are concerned at the road toll and the disproportionate number of fatalities and serious injuries among people under 25. It is a huge problem; it always has been. We have all come through that as teenagers ourselves.

Yes, it is a problem and over my career I have tried to assist this in many ways, particularly in driver training in secondary schools. This was all the go back 15 years ago. In particular, we did one program in Port Broughton where the local dealer supplied a car—which was a reasonably new model Holden—and the kids in years 11 and 12 took driving instruction at school. It was very successful. I don't know why it was discontinued, probably because of the occupational health and safety problems or some other nonsense.

I was very lucky in life, along with one of my country colleagues here, to be driving a car when I was four. By the time I was 16 it was second nature. We were lucky on the farm to be able to do that. I used to drive the ute around the farm while my father used to feed the sheep out the back. I was four and I couldn't reach the pedals. He used to have to run along the side and switch it off. When I think back on it, that is what happened. We are lucky because we learn those skills on the property whereas our city cousins do not have the opportunity.

This is why I think the secondary school driver training is very important because it is all about education and this peer group pressure that these young ones have. I agree with the member for Fisher that our younger ones are often driving unsafe motor cars. My kids—and I had three—all wanted to drive groovy motor cars. No way. It was Holden Kingswoods—good Australian tanks. In other words, if you hit anything you had a good chance of walking away. Admittedly, they graduated to Monaros but they were still the Holden Kingswood size. I wish I still had them. To see these little pocket rockets that the kids seem to get around in today makes me shudder because they are very powerful and they are small and there is nothing between them and that Mack truck that they might just happen to hit. They should be driving in safer cars.

Safety is also about better roads and, as the member for Giles has just said, we drive on a lot of roads out there and some of them are just plain dangerous. Over the years I have seen that rather than fix these roads—and this really annoys me—we just drop the speed limits. That really gets up my nose because as you are driving on country roads—and I do that a lot at night—it is dangerous. I have to say that I speed, and do you know why? It keeps me awake. When I say I speed I mean about 10 kilometres above the speed limit. I do 110 km/h around Clare and it is a 100 km/h speed limit. But to sit on 100 when I have not seen a car in half an hour?

Take, for instance, going north of Kapunda, the road is dead straight and you will not see a car go past within half an hour. You sit there at 100 km/h and you get mesmerised because it is just dragging on and on. I do not know why they reduced that back from 110 km/h to 100 km/h because it always was 110 km/h. When you consider the amount of kilometres I do, it is about 60,000 a year, so in my career it is in excess of 1.2 million kilometres. I have only had two scrapes and one was my inattentive driving and the other one was not my fault at all. I have had a few speeding fines but I have to say in the past four years I have been a very good boy and haven't had one. I



have learnt the lesson there. I think it is more to do with the vehicle I drive. I have been very pleased about that.

To make our roads safer, I cannot understand why we don't make more of our highways dual lane highways. I give the Labor government only one credit when they were in government when I first got here: they made the highway dual lane from Adelaide to Port Wakefield. Every time I drive on it I say at least they did something that really mattered. That should have been continued on at least to Port Pirie so that people can drive on these major highways at a reasonable speed safely. That also goes for the major highways that link our state to other states, particularly the Sturt Highway up through the Riverland which should be made into dual lanes from the Barossa right through to the eastern border, and of course the Dukes Highway is the same. They should be made into dual lanes; it is common sense. It is just another track. Usually the verge is wide enough to take the road anyway. It is better, rather than having all these passing lanes.

As the member for Giles said, if you want to see some crazy driving, just drive south of Clare on a weekend when there are tourists around and you will see all sorts of things. You see trucks on the road. There are no passing lanes there. People take some ridiculous risks, so I try to avoid that part of the road. People have about 100 metres of vision in front and they try to overtake three cars. You put your hands up, you put your hands out the window. We need more passing lanes, particularly between Clare and Tarlee. It is a disgrace, that road, and I am amazed that there are not more fatalities on it. This is a favourite subject of mine.

Inattentive driving is a big factor that is now being targeted. I know we have targeted speed, drink driving and now drugs, and I am very much pleased about that, but inattentive driving and, more than that, fatigue are both issues. I am guilty of driving with fatigue, because you have to get somewhere for the next day.

The member for Frome would be the same; it is two and a half hours from here to there and you have to be there in the morning, so you drive. Luckily, Port Wakefield is there and is open all hours of the night. You get out, and one of the reasons I am a bit rotund is because the only things that keep you awake are what is not good for you: chocolates and Coke. It does wake you up, but it goes on the waist line, but at least it is there to get out of the vehicle, get some fresh air and talk to somebody.

**The Hon. J.D. Hill:** What about a banana and a glass of water?

**Mr VENNING:** The ex-minister says 'a banana and a glass of water'. You are right, and I have tried that, but it does not seem to work. It doesn't. In relation to this bill, I am concerned that we are making it forever longer and harder for the young ones to get their licences, and certainly more expensive.

A young person came in the other day riding a bike and I said, 'Why haven't you got a licence?' She said, 'I can't afford it.' She has to spend so many hours with an instructor, and if you work out what this costs, it is about \$1,000 by the time you work it all out, and she has not got the money. Mum and dad cannot afford it, so there is no licence. So, no wonder so many of our young people are driving unlicensed. Why? Because they just take the risk that they will not get caught. Well, we have to make it easier, not harder. I just marvel about that. No wonder our younger drivers are driving unlicensed.

Like the member for Fisher and the member for Giles, I got my licence at 16. I just got the questionnaire, read it, walked back to the police station, did my test there and then and I was driving within a week, because I had been driving for years anyway. As I said, that did not seem to matter. We had a pretty good record. Because I was driving from a young age, I had a pretty fair idea about how dangerous driving could be. We were reasonably mature and, I think, lucky that alcohol was not on the roads in those days—certainly no drugs and not much alcohol, either. I was a teetotaler in those days, so there was no problem there with me. I have changed that a bit, but considering the climate, I think we have done pretty well.

So, some of this is a bit over the fence. Even though we agree with the tenor of this bill, I am concerned about the increase in time on P-plates. As a country driver, most country lads are of great assistance to the country and their families by being able to drive that truck as soon as they are legally able to at harvest time. One of the first tasks that I did, because we had to go back and get an A class licence—that was a driving test back then. You had to actually drive the truck with a policeman alongside you, then you got an A class licence so you could drive the truck. I could do that at 16. Now, if you are going to increase the P-plates from two to three years, a young fellow is going to be at least 19 before he can legally drive that truck.

**Mr van Holst Pellekaan:** Or girl.

**Mr VENNING:** Or girl, sorry. Thank you to the member for Stuart. I would oppose that, because a lot of these lads and young ladies are capable of driving at 16, but, fair enough, if we leave it at the two years as it currently is, I am happy with the P-plates on, because I understand you cannot drive a truck with a P-plate on. Is that still the rule? I presume it is. That would concern me greatly. I have no problems supporting the restrictions for P1 drivers with the exceptions and I support the bringing forward of the hazard perception test to the L to P1 stage.

I do oppose the 12 o'clock to 5am curfew particularly. Here is me—how would I go? With country people, a lot of them are doing a lot of their driving after midnight, and it is a pretty heavy restriction, again, to put on country youth, to say that you have to be home by 12 o'clock. It is the old Cinderella trick, isn't it? It really is, and I think it is a bit draconian to try to pass laws like this.

So I am concerned that when you make these laws, you have to consider young people in the country because in many cases, they do not have an option. They cannot just get in a cab or get on a bus that is not there. Again, we must realise that a lot of these people are featured rather heavily in our statistics and it is amazing to consider that a lot of the statistics are within two or three kilometres of home—that is another amazing statistic that we have.

The road toll is there—and some people call it a statistical aberration—but it is amazing that this year the road toll is up again, considering all of the rules that we have made for this year. It is creeping up again irrespective of the very strong police RBT and drugs testing and irrespective of speed cameras all over the place, which drives me a little bit nuts at times. You will always see a police car on the Gomersal Road because it is 90 ks. They have a habit of sitting down the bottom of the big dipper and if you are on your cruise control, it will run on. So I do think—and a lot of the police would agree—that they are out there revenue raising. I think that is rather sad and it gives the police a bad name. Irrespective of that, I do support this bill with those two amendments.

**Mr PEDERICK (Hammond) (12:56):** I rise today to speak to the Motor Vehicles (Learner's Permits and Provisional Licences) Amendment Bill 2013. The minister is trying to provide for several categories in this bill. One is an increase in the time that young people must remain on their P-plates after being on their learner's. This means that, instead of being on their Ps for two years, it goes to three years.

I note the comments made by members on this side of the house. When discussing this bill with my colleagues I essentially said that because you can get your learner's as soon as you turn 16 and spend up to a year on that and then have two years on P-plates, if you can't drive after three years, you probably cannot drive after four years. So you have to wonder why are we imposing that restriction especially in the light of what some of our members have indicated here.

The member for Schubert has expressed how he was driving from age four; I certainly cannot remember exactly when I started driving, but I know I was checking rabbit traps, the old steel-jawed ones, so you couldn't go checking them anymore.

**An honourable member:** It's illegal.

**Mr PEDERICK:** That is illegal.

**The Hon. L.R. Breuer:** All the fun's gone out of life!

**Mr PEDERICK:** Yes, exactly. You used to go out when you were about nine or 10 and I think the biggest damage I did was chasing a fox with the automatic one-ton ute and forgot to look out for the fence. But you do learn how to drive, especially in the country if you have a bit of land.

I was doing a bit of work several months ago putting a trough in on the farm and watching my sons—one is 12 (it might have been just before he was 12) and the other one is nine—and the 12 year old was driving the car with a trailer with some equipment on it, because I was driving the tractor. It is fantastic that they can do that to assist you with jobs. Plenty of country children are doing that at a very early age and gaining those skills which is a great credit to them and it helps them in later life as they venture on to getting their learner's and then on to P-plates.

So as far as extending the time, I think it is just wrong. As I indicated, if you cannot drive after three years on the road then getting a full licence, you probably should just pack up and forget about it instead of having that extra year and going to four years. I seek leave to continue my remarks.

Leave granted; debate adjourned.

**PORT PIRIE SMELTING FACILITY (LEAD-IN-AIR CONCENTRATIONS) BILL**

His Excellency the Governor assented to the bill.

**POWERS OF ATTORNEY AND AGENCY (INTERSTATE POWERS OF ATTORNEY)  
AMENDMENT BILL**

His Excellency the Governor assented to the bill.

**MOTOR VEHICLES (PERIODIC PAYMENTS) AMENDMENT BILL**

His Excellency the Governor assented to the bill.

**VISITORS**

**The SPEAKER:** I would like to welcome to Parliament House today students from the East Marden Primary School, who are guests of the member for Hartley; students from Thomas More College, who are guests of the member for Ramsay; members of the Lions Club of Prospect, who are guests of the member for Adelaide; and also parents from the Settlers Farm Campus at Paralowie, who are guests of the member for Taylor.

**CONNELLY, MR E.**

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:03):** By leave, I move:

That the House of Assembly expresses its deep regret at the death of Mr Edward Connelly, former member and Speaker of the House of Assembly, and places on record its appreciation of his meritorious service, and as a mark of respect to his memory the sitting of the house be suspended until the ringing of the bells.

It is my very sad duty to inform the house of the passing of Edward (better known as Ted) Connelly. He passed away on Monday 16 September at the Mary Potter Hospice in Adelaide, aged 94. He was the much-loved husband of Margaret and loving father of Margaret Ann, Damien, Maureen, Ellen and Bernadette.

Ted had a short but dramatic political life. He will be remembered by contemporaries for the courage and stoicism he demonstrated throughout his short parliamentary career. When one considers the necessary and ongoing processes to empower rank-and-file members, it is also clear that Ted was a man before his time.

Ted was born in Hamilton, Scotland on 16 November in 1918, just days after an armistice concluded World War I. Having arrived in Australia, Ted became a long-term resident of Port Pirie. At the time Port Pirie had its own seat in this parliament. As active sub-branch member and particularly effective mayor of Port Pirie, Ted saw the opportunity to run for the seat of Port Pirie when Dave McKee, who had served since 1959, retired in 1975.

Ted did not receive the support of the most influential local union, the Australian Workers' Union, and was defeated in the preselection by Jack Phelan—a likeable and competent local organiser. This did not sit well with Ted, who believed that the processes in place at the time for preselecting candidates did not give due consideration to the local profile of the candidates. He therefore decided to run as an Independent candidate for the seat of Port Pirie. Ted was automatically disqualified from the party as a result. Ted won the seat of Port Pirie handsomely. The state election of 1975 was a bitter affair. It was fair to say that the ALP was reeling from the Whitlam dismissal and consequently there was a strong swing against us—that hadn't happened by then.

**The Hon. J.D. Hill:** It was prime.

**The Hon. J.W. WEATHERILL:** It was prime, yes. It was fair to say that they were reeling from the imminent Whitlam dismissal and consequently there was a strong swing against us in the state election. Labor won 23 seats, and by 10pm on election evening, it was clear that Ted would hold the balance of power. A phone call was made by Premier Dunstan and the speakership was proposed in exchange for his support. The proposal was accepted. From 5 August 1975 to 16 September 1977, Ted was the speaker of this house. Although he was no longer a member of the ALP, it was always clear that he remained committed to the labour movement.

During his speakership Ted held the casting vote on which the government depended. His contemporaries recalled occasions when he was struck down with a heavy bout of influenza. With the government at risk of falling, Ted stoically took the chair in spite of his ailments and, in doing so, ensured the work of the Dunstan government could go on. Ted remained in his heart a Labor

person and after a short time wandering in the wilderness he was brought back to the fold—there is a postscript—when the state convention overwhelmingly voted to restore his membership in 1976.

*Members interjecting:*

**The Hon. J.W. WEATHERILL:** That's right. An unhelpful redistribution in 1977 reduced his chances of extending his time in parliament. The seat of Port Pirie became known as the seat of Rocky River, and a lot of farming areas were subsumed into the electorate. Ted did not ask to be moved to a safe Labor seat but instead campaigned hard in the 1977 election with the help of Premier Dunstan, who accompanied Ted in the numerous country towns that now fell in the electorate of Rocky River. Ted was defeated, of course, in the 1977 election, but Labor held onto government. Without Ted's support, the Dunstan government would have fallen years earlier.

Ted went on to serve as chairman of the Outback Areas Community Development Trust—a Dunstan initiative designed to fund infrastructure projects in country areas. He then retired and moved to Adelaide and in his retirement passed many long hours at the Beaumont Bowls Club. A life member of the RAAFA, Ted also actively campaigned on a number of issues relating to veterans affairs. Ted had a short but extraordinary career in parliament and will be fondly remembered by his former colleagues. Vale Ted Connelly.

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:08):** I rise on behalf of the South Australian Liberal Party to second the Premier's motion, and I offer our most sincere condolences to the family of Edward (or Ted) Connelly, a former Independent and later Labor member for what was then the seat of Pirie and speaker here in the House of Assembly during the Dunstan era in the years 1975 to 1977.

Ted Connelly certainly played a very important and, at times, highly controversial role here in state politics. Despite being a long-time member of the Labor party, Ted was overlooked for preselection in Pirie, the place he had called home for more than 40 years. However, urged on by his huge army of supporters, Ted decided to run as an Independent, and that is where it starts to get interesting.

His decision led to immediate expulsion from the Australian Labor Party, but Ted was to have the last laugh, not only winning the seat, but recording an incredible swing of more than 45 per cent in the Port Pirie township, which says a lot about Ted's popularity and the need to ensure that candidates are always in touch with the community that they hope to represent.

The people of Pirie loved Ted. He had been mayor, a union official and a board member, and on polling day it was Ted who got their vote. The Labor Party lost the seat for the first time in history, but there was more history to come. That particular state election was so close that, remarkably, Ted suddenly became, according to *The Advertiser* of the day, 'the most powerful force in the SA Parliament, the man who can make or break the government'. For a man widely regarded as a humble and modest man, it was an unusual position in which to be placed.

Offered the role of speaker by the then premier Don Dunstan, Ted accepted and applied to rejoin the Australian Labor Party, sparking another round of intrigue for Labor and its union stronghold, which had trouble accepting Ted back into the fold. Again, what is important to reflect upon here is that amidst all this high drama was a politician who only ever wanted the best for the people of Pirie. As a father of five, a working man and a passionate member of his local community, Ted was on the record many times as saying that he wanted nothing more than to put Port Pirie on the state map.

Ted was in politics for the right reasons. He was a friendly and caring man who campaigned robustly on the issues that were affecting his constituents: the need for a deeper harbour, a better rail hub, improved water supply and a focus on supporting regional cities. Ted Connelly made a great contribution to our state, and it is with these words that I endorse the Premier's motion and pass on the opposition's sincere condolences to his family at this very sad time.

**Honourable members:** Hear, hear!

**Mr BROCK (Frome) (14:11):** I also rise to pay tribute to the late Ted Connelly and, on behalf of the new electorate of Frome and also the people of Port Pirie, I offer our condolences to his family. Mr Connelly was a serving mayor of Port Pirie and also worked at the local smelters (BHAS, at the time) as a security officer, when he decided to run for state politics. Ted was a long-time member of the local ALP branch and chair of the local trades and labour council. I must

admit that we have some similarities, except that I was never a member of any political party; however, I was also the mayor of Port Pirie and worked at the local smelter.

Ted sought ALP preselection at the party's annual general meeting the previous year. He opposed the Australian Workers' Union organiser, Mr Jack Phelan, and the branch president of the Electrical Trades Union, Mr Ron Roberts, who was later to become a member of the Legislative Council and also president of the Legislative Council in this parliament. Ted lost the preselection, which was won by Jack Phelan, and he later nominated as an Independent candidate for the forthcoming election. As we all know, and as has been mentioned by the Leader of the Opposition, Ted won the election handsomely and subsequently was appointed speaker of the House of Assembly by the then leader of the Labor Party and premier, Mr Don Dunstan.

Ted remained as mayor of Port Pirie and that is what you could do in those days. You could continue as the mayor of your community and also be a member of the state parliament, as I understand it. Mr Ritchie from Port Augusta, I think, was in the same situation; I think that is the way it was. At this time, the government was looking at introducing can deposit legislation, and as Port Pirie had a large Coca-Cola factory in the community, it could have been detrimental to the continuation of the large Coca-Cola factory in Port Pirie, which I might add, employed a large number of people in Port Pirie.

The community and the Port Pirie city council of the time were certainly against this proposed legislation and, as the mayor of the Port Pirie city council, Mr Connelly was asked to vote against the legislation in the parliament. They requested that he vote against this legislation. However, Ted supported the Labor Party legislation going through the house here, much to the disgust of the local community and also the city council. There were a lot of rumblings in the community, because there was a bit of a fear that the Coca-Cola factory could close because of this proposed legislation. (It has closed and it has been gone for some years.)

Mr Connelly got wind of the concerns and the rumblings within the community and called a special meeting of the council to discuss the issue. However—and I must admit, I have read the media reports on this and I have spoken to people last week—during a very fiery debate within the council, Ted rose to his feet and explained that he did not have to answer to the council for his decisions made in this chamber and nor did he have to answer to the people of Port Pirie. He immediately resigned as mayor and walked out.

Mr Connelly was a man of his word. What he had to do, he had to do and, as the Leader of the Opposition (the member for Norwood) has indicated, it was a turbulent time for this parliament. At the time Ted's remuneration as the mayor of Port Pirie was about \$700—a big difference to today.

**The Hon. R.B. Such:** Overpaid.

**Mr BROCK:** Overpaid, underpaid. Ted's remuneration at the time as speaker of the house was \$21,900, plus an electorate allowance of \$2,900 and an expense allowance of \$650, which was a great deal of money in those days. He also enjoyed the use of a government car and a driver, as currently happens today. The election Ted won handsomely, and he was thoroughly endorsed by the people of Port Pirie. He was their man. That was in July 1975. Ted reapplied for readmission to the Labor Party in February 1976. As the Premier indicated, he was in the wilderness for a long time; however, he was always a Labor man right through to the end, and he was readmitted to the Labor Party.

Irrespective of whatever Ted did—and the community of Port Pirie perceived him in those days as not a true Independent—Ted was a great worker for Port Pirie over many years and should be remembered for the great work that he did. Being the mayor of a community, whether it is Port Pirie or anywhere else, you put your heart and soul into it, and Ted did that at that time. He did enjoy, and felt very privileged—and I did read about this—and honoured to become a member of the state parliament, and he was very, very honoured to become the speaker of the house. As mentioned, Ted contested the next election for the seat of Rocky River, which, as the Premier indicated, replaced the seat of Port Pirie; however, Ted was not successful in the re-election.

**An honourable member:** Who won?

**Mr BROCK:** I'm not too sure.

**Mrs Redmond:** It was Ivan Venning.

**Mr BROCK:** Ivan Venning. However, Ted was still very passionate about what he wanted to be involved in with the community and South Australia. He was subsequently appointed as chairman of the Outback Areas Community Development Trust, which, as the Premier indicated, was established by the late premier Don Dunstan. Mr Connelly retired and relocated to Adelaide where he lived for many years. He certainly enjoyed his life, and Port Pirie people still talk very fondly of Ted even though he was not a true Independent.

**The Hon. L.R. BREUER (Giles) (14:17):** I rise as member for Giles, which of course includes the City of Whyalla, a big part of that part of the state, which years ago used to be known as the Iron Triangle. It was an unfortunate name because I always felt a bit sorry for the people of Port Augusta and Port Pirie being put under that label; however, it is now known as the Spencer Gulf Cities. I did not know Ted Connelly, but I certainly knew of him, coming from Whyalla. We were very close in those days—the cities of Whyalla, Port Pirie and Port Augusta—as I think we still are. We argue, but if anybody comes in and has a go at any of us we would defend our honour greatly.

I knew of Ted Connelly, and my understanding was he was a gentleman, but certainly a man of integrity. His election showed that country electorates often vote for the person rather than for the party, and country electorates are very often loyal to that person. If they are a person of note in their community they have a very good opportunity of being elected and, of course, that is still the situation today, as shown by the presence of the member for Mount Gambier and the member for Frome and also, I think, to some extent, the member for Fisher. Country electorates do support the person who they believe has done a great job for their community and who is a great worker in their community.

I have heard many stories about Mr Connelly over the years—he was a bit of a legend in that area. I certainly heard a lot of stories about him from his niece, Pauline Connelly, who people may have heard on the radio in recent years. She lived in Whyalla for many years, and I think she thought of him as some sort of idol, and she told me many stories about him. Fellows like Ted Connelly are the salt of the earth. They are great people, they do great work for their communities and are certainly great representatives of our country electorates, so I wanted to pay tribute to him today.

**Mr VENNING (Schubert) (14:19):** Ted Connelly was elected to this house on 12 July 1975 until 16 September 1977—only two years. As has been said, he was the Speaker from 5 August until 16 September 1977. He never sat in the house technically, only briefly for a few minutes while the Speaker's election took place. I knew Ted Connelly personally. He was a very prominent and very much respected citizen of Port Pirie. As a citizen of Crystal Brook we were very much involved with him, and the region generally very much respected him.

He was a member of the Port Pirie city council for 22 years and was elected unopposed as mayor for his fifth term. He was 56 when he stood for the ALP's preselection ballot for a party endorsement. However, as has been said, unfortunately he was not successful and Mr Jack Phelan beat him as the union official. I can tell you that this caused much disquiet even amongst my Liberal friends. At the time I was very active in the Young Liberal Movement.

Ted was prevailed upon, genuinely, to stand as an Independent, and this was not an easy decision for him to make. Ted Connelly was a man of high integrity, as has been said, and great loyalty, with a long-term involvement in the Australian Labor Party. At 57 years of age Ted stood and he won comfortably. The community was pleased, even elated. Even a local pop group wrote a song about their number one citizen—their mayor and now their member. A very good friend of mine who is known by many of you, who later became mayor, Mr Ken Madigan, said:

Port Pirie has come of age once again. This town has been stationary for 20 years. We've been living on promises from down in Adelaide. Now we are in the best possible position.

Another comment was made by many: 'it was a very popular win,' and indeed it was. At the election the Labor and opposition parties both got 23 seats, as we just heard, and Ted was in the balance of power situation. It is almost a bit of history repeating itself with the current member for Frome. He subsequently sided with Labor. Don Dunstan secured Ted to put them into government and give them that power. It was no mean feat to be the Speaker in a house that he had never set foot in, and my father reported often to me that he was a very good Speaker, too.

What was in this for Port Pirie? What was done? This was all folklore, rumour and innuendo. Rumour has it that Ted, a strong smelter supporter, was keen to have another key industry in Port Pirie. A petrochemical plant was in the offing and the site chosen was the island in

the middle of the Port Pirie harbour. A single-lane bridge was built, which is still there—I may paint it one day—but nothing more has happened and now the bridge is affectionately called, simply, 'the bridge to nowhere'. You can go over it but there is nothing over there to look at. We never actually got it documented, but that is the strong rumour and, of course, petrochemicals were all the go at that time, so it was certainly a rumour with some foundation.

Ted was a very good member of the bowls club here in the parliament, and he bowled with my father. It was very sad when the boundaries changed, which pitted Ted up against my father for the same seat of Rocky River. The distribution split Port Pirie in half, and I do not know why that would happen, and Ted stood up against my father. In true style, Ted did not walk away from his beloved Port Pirie. He stood and took the music. It was a strong campaign. As has been said, Don Dunstan featured strongly in that campaign, but dad prevailed.

As I have said before, I have many friends who hold different political views from me, and Ted Connelly was but one of them. He was a very good man of high principles and ethics. He was a true citizen of his beloved Port Pirie. Our sincere condolences to Ted's family and his so many friends in Port Pirie. He is part of South Australia's political history and we have fond memories of him. Vale Ted Connelly.

**The SPEAKER (14:24):** I got to know Ted Connelly when he was in Adelaide, living up at Conyngham Street, Glenunga. He was in the same group of units as a friend of mine. I enjoyed his company. He would come to the retired members' dinner and also the RAAF Association functions. I often wondered why Ted Connelly accepted Labor preselection for the seat of Rocky River when he really had no chance of winning it, although he ran a splendid campaign and increased the Labor vote projected for that seat. Port Pirie South was the only suburb of Port Pirie that was in Rocky River. Perhaps the explanation lies in the Coca-Cola factory saga. I ask that the motion be carried in silence.

Motion carried by members standing in their places in silence.

*[Sitting suspended from 14:24 to 14:34]*

## ANSWERS TO QUESTIONS

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

### SOUTH AUSTRALIAN GOVERNMENT INDUSTRY PARTICIPATION POLICY

**175 Mr HAMILTON-SMITH (Waite)** (9 February 2011) (First Session). With reference to Budget Paper 4, volume 1, page 2.7, Highlights 2009-10, South Australian Government Industry Participation Policy—How many South Australians jobs were specifically generated from this program?

**The Hon. T.R. KENYON (Newland—Minister for Manufacturing, Innovation and Trade, Minister for Small Business):** I am advised that the Industry Participation Policy was first introduced in 2005, to provide full, fair and reasonable access to South Australian businesses to gain work on state government infrastructure and construction projects.

This policy is implemented by the Industry Capability Network South Australia (ICNSA). In 2009-10, ICNSA was working with 21 projects which fit within the scope of the IPP. IPP plans identified how the relevant state government agency would provide local businesses with full, fair and reasonable access to work on specific projects.

During 2009-10 only the Department for Transport, Energy and Infrastructure (DTEI) project to upgrade the Belair Line completed IPP project reporting. It resulted in 164 local companies, and 29 national companies with a local office, winning contracts on the project with an overall value of \$10 million.

A revised Industry Participation Policy came into effect on 1 July 2012. It aims to strengthen the requirements for major project proponents to provide full, fair and reasonable opportunities for local suppliers to compete for work. It builds on this government's support for business and targets small to medium enterprises, which are the vast majority of local suppliers of goods and services.

The new policy requires successful tenderers and major project proponents to identify and report on how they will ensure local suppliers will be provided with full, fair and reasonable opportunities to compete for work.

The new IPP is forecast to provide a fivefold increase in financial benefits to the state as compared with the previous policy. In particular, it will help the state realise the benefits of the mining boom and create opportunities to promote and grow our capable firms in all sectors, but especially in manufacturing. This benefits not only our small to medium-sized enterprises; major project proponents will stand to gain as well. It is often more cost effective to use local businesses with strong local knowledge.

The policy is a result of extensive consultation and responds to a call from the Economic Development Board to review the previous Industry Participation Policy and to introduce greater accountability for large projects. Advice from former thinker in residence Professor Göran Roos is that the approach taken is consistent with an increasing trend for jurisdictions to use public procurement as a tool for achieving industry innovation and research policy objectives.

The new IPP broadens the range of projects covered, including significant contracts for goods and services, while lowering the commencement threshold for regional projects. It also introduces a tiered approach to ensure compliance costs are appropriate for the size of the contract. The new policy will apply to:

- South Australian government procurement of goods and services, including infrastructure and construction, with a value of over \$5 million in metropolitan Adelaide and over \$3 million in regional centres (previously this was \$5 million state-wide);
- all public-private partnerships;
- federally-funded infrastructure and construction projects managed by the South Australian government;
- private sector projects receiving significant South Australian Government support—that is, over \$2.5 million in cash or in kind—or an indenture agreement; and
- projects seeking major development status under section 46 of the *Development Act 1993*.

Importantly, the new policy will now form part of the tender assessment process. Industry Participation plans will count for a minimum weighting of two percent in the tender evaluation stage; although agencies may choose to increase this as appropriate. In addition, the IPP requires increased accountability and transparency particularly for larger scale tenders and projects. Reporting on the implementation of the IPP will be a contractual obligation for successful tenderers and recipients of government support.

The introduction of the new policy is intended to not only assist local businesses but also show project proponents the benefits from engaging with local innovative and world class businesses.

The extended scope of the revised IPP has seen significant activity captured beyond the Construction and Infrastructure projects covered by the previous policy. This includes significant service contracts for SA Housing, medical equipment for SA Health, advertising services for the SA Tourism Commission and computing services for the Office of the Chief Information Officer.

The ICNSA is the state government's key agency for facilitating local industry participation in major projects, and is a business unit of the Department for Manufacturing, Innovation, Trade, Resources and Energy. ICNSA assists tenderers to locate capable local suppliers and develop Industry Participation Policy plans. ICNSA also assists agencies with the application of the policy to their applicable projects.

To further support local industry participation, in February 2013, the state government established the Industry Participation Advocate to review impediments that local companies may face when tendering for government contracts.

Mr Ian Nightingale was appointed to this important position. He has a wealth of experience through senior positions at Primary Industries and Regions SA and as the inaugural Chief Executive of the Department for Planning and Local Government.

The advocate is working with:



- industry associations and business to increase the number of opportunities that local companies can bid for;
- the state procurement board to ensure that its policies and practices are not disadvantaging local businesses; and
- the Commonwealth and other State governments to reduce impediments in those jurisdictions that South Australian companies may face when bidding for their tender contracts.

To support this work, the government is providing \$440,000 over two years for the Industry Participation Advocate to assist businesses better position themselves to respond to government tenders and to help government agencies simplify their procurement processes and make it easier for businesses to bid for government work.

### CONSULTANTS AND CONTRACTORS

**285 Mr MARSHALL (Norwood)** (5 September 2012). For each department or agency reporting to the minister in 2011-12—

What is the detailed breakdown of expenditure on consultants and contractors above \$10,000 including, the name of the consultant, contractor or service supplier, cost, work undertaken and method of appointment?

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

This question has been asked during the 2012 Estimates Committee.

The Premier has provided an answer to this Question, as it is the same question as Omnibus 1—Consultants and Contractors. I direct the Member to this response.

### HOUSING SA

**556 Dr McFETRIDGE (Morphett)** (9 July 2013). With reference to 2013-14 Budget Paper 4, vol.1, p. 93—

How many asset strategy staff have been transferred from the South Australian Housing Trust to Renewal SA?

**The Hon. A. PICCOLO (Light—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers):** I have been advised:

On 23 April 2012, the reporting responsibility for 82 Housing SA staff members was transferred to Renewal SA. The number of Housing SA employees listed through the Department for Communities and Social Inclusion's revised budget is 891, reflecting this transfer to Renewal SA, equivalent to 79.6 full-time employees.

### HOMELESSNESS STRATEGY

**557 Dr McFETRIDGE (Morphett)** (9 July 2013). With reference to 2013-14 Budget Paper 4, vol.1, pp. 69 & 95 and Budget Paper 6, p. 25—

1. What initiatives are being implemented to alleviate homelessness resulting from the extension of funding under the National Partnership Agreement?

2. How many short and medium term accommodation options will be provided with this funding and how many clients will be targeted?

**The Hon. A. PICCOLO (Light—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers):** I have been advised:

1. The National Partnership Agreement on Homelessness 12-month interim agreement ensures service continuity throughout 2013-14 while negotiations are conducted about longer term Commonwealth and state government funding arrangements. South Australia will continue to deliver specialist homelessness services through 75 programs over 97 outlets providing early intervention, medium term accommodation options and home-based and outreach support to stabilise tenancies and sustain the transition to independent living.

2. A range of accommodation options will be provided through a combination of funding through the National Partnership Agreement on Homelessness and the National Affordable Housing Agreement. One hundred and eighty nine short term and 1,308 medium to long term accommodation options will be provided during 2013-14. The sector also provides an additional 148 long term options. No targets have been set for clients assisted into short and medium term accommodation as specialist homelessness services are demand driven. The sector's aim is to ensure there are enough options available for clients seeking accommodation.

#### **CONTACT 121 CALL CENTRE**

**562 Dr McFETRIDGE (Morphett)** (9 July 2013). With reference to 2013-14 Budget Paper 4, vol.1, p. 93—

1. How many staff are currently employed at the Contact 121 call centre under this contract and how many were previously employed?

2. How many of the staff that were previously employed have stayed with Contact 121 Pty Ltd and are their wages lower?

3. Are the majority of these call centre positions now outsourced overseas?

4. What protocols has the government put in place through the tender and contract process to ensure that employees are locally employed and paid at the same rates as what was paid previously?

**The Hon. A. PICCOLO (Light—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers):** I have been advised:

1. Contact 121 currently employs 43 staff to perform the tasks required under the contract. These operators comprise those dedicated to the Housing SA and Department for Communities and Social Inclusion (DCSI) contract and those who are blended agents who take calls for other services contracted with Contact 121. The previous provider employed 47 staff with these operators all dedicated to the Housing SA and DCSI contract.

2. Nine staff members employed by the previous provider were employed by Contact 121. Housing SA does not have access to their pay rates, but require staff to be paid at the industry award rate, as a minimum.

3. There are no positions under the Housing SA Call Centre Agreement which are outsourced overseas.

4. The terms and conditions of the Call Centre Agreement and public request for tender stipulated that the call centre operations had to be based in metropolitan Adelaide, thereby ensuring local employment opportunities for South Australians.

#### **GOVERNMENT AGENCY EFFICIENCY REVIEW**

In reply to the **Hon. R.B. SUCH (Fisher)** (6 March 2013).

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

The public sector is continuously evaluating its effectiveness and efficiency in the delivery of services, not just in the lead up to budget but throughout the whole financial year. To complement this activity public sector agencies assess their performance against the High Performance Framework (HPF). The government implemented the HPF triennial review of efficiency and effectiveness of agency performance as a rigorous evaluation tool based on best practice frameworks from around the world. The focus of the HPF is to align agency resources and activities to priorities of government and build capability in evaluation and organisational performance management. Agencies are required to provide annual updates on the strategies that they have implemented as a result of the triennial review process.

Importantly the government has established the Public Sector Renewal Program which is bringing elements together for continuous improvement of the public sector for the benefit of the people of South Australia.

South Australia's Strategic Plan (SASP) was created in 2004 and updated in 2007 and 2011 with the most recent progress report released in 2012. The plan was developed to guide

individuals, community organisations, governments and businesses to ensure the wellbeing of all South Australians. The plan contains the community's long-term visions and goals, and 100 specific targets that are measured by an independent SASP Audit Committee every two years.

### PAPERS

The following papers were laid on the table:

By the Speaker—

Police Ombudsman—Annual Report 2012-13

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

Regulations made under the following Acts—

Mutual Recognition (South Australia)—Regulations 2013

Trans-Tasman Mutual Recognition (South Australia)—Regulations 2013

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

Rules made under the following Acts—

District Court—

Civil—

Amendment No 25

Amendment No 26

Criminal—Amendment No 3

Supreme Court—Civil—Amendment No 24

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

Boundary Adjustment Facilitation Panel—Annual Report 2012-13

By the Minister for Business Services and Consumers (Hon. J.R. Rau)—

Regulations made under the following Acts—

Lottery and Gaming—Regulations 2013

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

South Australian Public Health (Severe Domestic Squalor) Policy 2013 and associated Guidelines

By the Minister for Mental Health and Substance Abuse (Hon. J.J. Snelling)—

Regulations made under the following Acts—

Controlled Substances—Regulations 2013

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

Leases granted for Properties held by the Commissioner of Highways—Annual Report 2012-13

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

Adelaide Hills Wine Industry Fund—Annual Report 2011-12

Apiary Industry Fund—Annual Report 2011-12

Barossa Wine Industry Fund—Annual Report 2011-12

Cattle Industry Fund—Annual Report 2011-12

Citrus Growers Fund—Annual Report 2011-12

Clare Valley Wine Industry Fund—Annual Report 2011-12

Deer Industry Fund—Annual Report 2011-12

Eyre Peninsula Grain Growers Rail Fund—Annual Report 2011-12

Grain Industry Fund—Annual Report 2011-12

Langhorne Creek Wine Industry Fund—Annual Report 2011-12

McLaren Vale Wine Industry Fund—Annual Report 2011-12

Olive Industry Fund—Annual Report 2011-12

Pig Industry Fund—Annual Report 2011-12

Riverland Wine Industry Fund—Annual Report 2011-12  
 SA Rock Lobster Fishing Industry Fund—Annual Report 2011-12  
 Sheep Industry Fund—Annual Report 2011-12  
 South Australian Grape Growers Industry Fund—Annual Report 2011-12  
 Regulations made under the following Acts—  
     Agricultural and Veterinary Products (Control of Use)—Control of Use  
     Regulations 2013  
     Primary Industry Funding Schemes—Cattle Industry Funds Regulations 2013

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

Supported Residential Facilities Advisory Committee—Annual Report 2012-13

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

Report on the State of the Environment in South Australia—Report 2013

### FUTURE FUND

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:35):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.W. WEATHERILL:** Yesterday, I announced the state government's plan for the development of a future fund for South Australia. A future fund will preserve the benefits of our state's mineral and energy resources—

*Members interjecting:*

**The SPEAKER:** The Premier will be seated. I call the member for Heysen, the member for Kavel and the member for Hammond to order. Premier.

**The Hon. J.W. WEATHERILL:** Thank you, sir. A future fund will preserve the benefits of our state's mineral and energy resources for future generations. South Australia is enjoying the benefits of growth in our mining and energy industries over the past decade. There were four major, approved or operating mines in 2002; today, there are 21.

Mineral and petroleum exports have increased from \$1.39 billion in 2002-03 to \$4.2 billion in 2012-13, and exploration expenditure has increased from \$123 million in 2002-03 to \$617 million in 2012-13—a massive 400 per cent increase. Mineral and petroleum production in 2011-12 reached \$6.2 billion, up from \$1.98 billion in 2002-03.

Royalties paid to the state over this time have grown from \$82 million in 2002-03 to around \$200 million this year, and are predicted to grow to \$285 million in 2016-17. I am advised there are a further 20 potential new mines at various stages of development which could commence over the next 15 years, along with potential for expansion in oil and unconventional gas opportunities. BHP is also continuing to pursue an expansion of its Olympic Dam mine.

Deloitte Access Economics modelling has forecast that mining could add an extra \$22.5 billion in gross state production between 2013 and 2032. However, we must also recognise the finite nature of South Australia's mineral and energy resources, which can only be taken from the ground once. South Australia's mineral and energy resources belong to all of us, and we all have an opportunity, as royalty revenue rises, to share the benefits with current and future generations.

Directing a portion of royalty revenues into a future fund means we can continue building South Australia today while also being prepared to take advantage of the opportunities to meet the challenges that will arise in the decades ahead. The fund will start building when the state budget is in an operating surplus position and will continue to build over time, until a minimum fund balance of \$500 million is achieved, allowing payments to be made from the future fund.

South Australia returns to a substantial surplus in 2015-16 of \$375 million, followed by \$661 million the following year. That is more than enough to support payment into the future fund, as well as paying down debt. Payments to the fund will come from 7 per cent of royalty revenues and early royalties from new or significantly expanded mines, with further discretionary payments

possible. Modelling suggests the fund could accrue a \$500 million balance over a 15-year period on a low estimate, or more than \$2.5 billion on a high estimate, from royalty payments alone.

The fund will allow future decision-makers, in consultation with South Australians, to invest in infrastructure that has significant and long-lasting economic benefit, and in programs that build the capacity of our children, the resilience of our families and the skills of our workforce.

One of the advantages we have in South Australia is that we can learn from the experience of places like Western Australia, which only introduced a future fund a year ago, a long way into its mining boom. Had they done so a lot earlier, they would now have a source of funds for much needed projects and a buffer against declining royalty revenues.

This is a policy that looks beyond today, just as we plan for our own futures as individuals, when we are planning for our state's future, both investing for today and saving some of the gains for tomorrow. This is a policy that will allow all South Australians to share in the proceeds of today's strong resources growth for many decades to come.

**The SPEAKER:** I call the members for Schubert and Morialta and the deputy leader to order and I warn the member for Heysen for the first time.

### NOARLUNGA RAILWAY LINE

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (14:43):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. A. KOUTSANTONIS:** The state government is a strong believer in delivering key infrastructure projects for the people of this state. As such, the Labor government has put public transport at the heart of our long-term planning for this state. We have a very clear vision of prosperity for public transport in all its forms. Since 2008, the South Australian government has embarked on a program investing more than \$2 billion to develop and upgrade Adelaide's integrated public transport network.

We are transforming our public transport system into a vibrant, state-of-the-art system, providing faster, cleaner and more efficient services for commuters. Not only do these engineering projects create jobs, they create faster and more efficient transport. A key pillar of this public transport investment is our rail revitalisation program. This revolutionary project has seen the government:

- create more than 3,600 jobs;
- rebuild 866 kilometres of track across the network;
- install 240,000 new concrete sleepers;
- remove 220,000 timber sleepers;
- install 70 kilometres of metres of wires and over 1,200 masts and portals;
- construct a 620 metre rail underpass at the Goodwood Junction;
- construct a 1.2 kilometre viaduct over the Onkaparinga River;
- build new stations at Elizabeth, Munno Para, Seaford Meadows and the Seaford terminus;
- start the construction of new stations at St Clair and Wayville; and
- deliver Adelaide's first electric trains, which are now being tested.

The scale and scope of this investment are at a level never seen before in this state. As with any capital works program, no matter how well planned, there are unforeseen issues that can cause delay. On Wednesday 18 September, the chief executive of the Department of Planning, Transport and Infrastructure, Mr Rod Hook, formally presented a submission incorporating the latest program update he had just received from the signalling contractor. As a consequence, I made a statement later that day informing the public that we will not be in a position to resume diesel train services on the Noarlunga line until later in the year.

I can inform the house that all existing substitute bus arrangements will remain in place while the line remains closed and will be free of charge from 1 October until train services resume. I

am advised that the contractors involved in installing the new signalling systems suitable for working in the electrified train environment from 2014 are not as far as advanced as they should be. As such, the government is not in a position to bring diesel trains back in September. However, I am advised that DPTI is on track to deliver new electric train services between Seaford and the city early in the new year.

I know this is frustrating for all Noarlunga passengers who have patiently endured the inconvenience of substitute bus services and have been looking forward to diesel services returning this month. I apologise for the delay. I must take every step within my power to ensure passenger services do not resume until DPTI can assure me that all safety requirements have been met. At all times, the safety of rail customers, staff and the public has been our highest priority.

The consequences of inaction or second-best practices on safety issues can be catastrophic, and I cannot stress enough how important safety is in the operation of a rail network. Signalling is the system most crucial to the safe running of a modern rail system, and there is absolutely no room for compromise. This is not something we can get right 99 per cent of the time: we must get it right every single time. I appreciate that the people of the south are being inconvenienced by this delay.

Major construction works will always, because of their magnitude and complexity, impact on local communities. In the south this rings true, as it is currently a hive of activity. We are duplicating the Southern Expressway, we have built the Seaford Bridge and we are electrifying the Seaford line. Because of this, Mr Speaker, I ask for continued patience and understanding while we complete these works. As works progress along the Noarlunga line and I am advised on any further updates as to when diesel services may resume, I will inform the house further.

*Mr Venning interjecting:*

**The SPEAKER:** I warn the member for Schubert for the first time.

#### NATURAL RESOURCES COMMITTEE

**The Hon. S.W. KEY (Ashford) (14:48):** I bring up the 85<sup>th</sup> report of the Natural Resources Committee, entitled Eyre Peninsula Water Supply Final Report: Under the Lens.

Report received and ordered to be published.

**The Hon. S.W. KEY:** I bring up the 86<sup>th</sup> report of the Natural Resources Committee, entitled Alinytjara Wilurara APY Ranges Subregion Fact-Finding Visit: Camelot.

Report received and ordered to be published.

#### MEMBER'S REMARKS

**The Hon. L.R. BREUER (Giles) (14:50):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. L.R. BREUER:** Sir, last question time in this place you rightfully asked me to withdraw a comment that I made as an interjection across the chamber, when I said that the members opposite had been drinking too much red cordial. I did not hear what you said initially, I just heard you asking me to withdraw. When I read the *Hansard* I realised you had implied that I had said they had been drinking alcohol at lunch time. That was not the case; I never implied that. I said red cordial. I am a parent of the seventies who never gave their children red cordial because it would make them hyperactive. I do not like people implying that members of parliament drink during parliament time and I certainly did not intend for that to be interpreted in that way. It was just too much red cordial, too hyperactive. In no way did I mention alcohol.

*Members interjecting:*

**The SPEAKER:** The Leader of the Opposition assures me he has cut out that practice on his side.

#### QUESTION TIME

##### CHILD PROTECTION

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:51):** My question is to the Minister for Education and Child Development. When was a complaint first lodged with the

department against a teacher at a southern suburbs school for failing to comply with mandatory reporting obligations in relation to the alleged sexual assault of a 13-year-old girl by a year 12 student attending the same school, and has an investigation into these allegations been undertaken?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:52):** What I can inform the house is that in 2010 five female students were interviewed by staff of a southern suburbs school in relation to a matter that at the time was deemed to be sexual harassment. The school made that assessment and teachers are trained—

*An honourable member interjecting:*

**The Hon. J.M. RANKINE:** I'm sorry? Teachers undergo mandatory training in relation to these matters and my understanding is that, on the information they had at the time, they made the assessment that it was a harassment issue. The person who was the subject of this was suspended from school and the reports that were accessed from the school indicated that parents were contacted as a result of those incidents.

I now understand that in March of this year, the family approached police, making allegations about the incident in 2010 as well as another incident that occurred in 2011. There is no record, as I understand it, of the school being advised about the 2011 incident and my understanding also is that the perpetrator was no longer at the school.

The department was contacted, I understand—teachers were interviewed by SAPOL as a result and provided what information they had. SAPOL interviewed the other students involved and I understand that no further charges have been laid in relation to those interviews and that there was an arrest made in May of this year as a result of the police investigation.

#### CHILD PROTECTION

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:54):** My supplementary is to the Minister for Education and Child Development. Can the minister please clarify the issue regarding the failure of the school to comply with the mandatory reporting obligations in relation to this matter?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:54):** My understanding is that the school assessed this as not requiring a mandatory report. It was low level, it wasn't reported to police, it wasn't reported to CARL and it certainly wasn't reported as a critical incident to the education department.

I understand now that there is some conflict of advice between what reports the department has, what records the department has and what the family are now saying has occurred. As a result of that, I have asked the chief executive officer of the department to contact the family and have a discussion with them so we can work through those issues.

#### CHILD PROTECTION

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:55):** A further supplementary, sir.

**The SPEAKER:** Yes.

**Mr MARSHALL:** Is the minister therefore satisfied with the education department's determination that this was a sexual harassment case, given that the police have now laid sexual assault charges over the very same matter?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:55):** The matters are now before the court and, obviously, the police deem them to be more serious. I don't know what different information the police may have received as opposed to what the teachers received, so that is—

**Ms Chapman:** Did you ask?

**The Hon. J.M. RANKINE:** I'm not privy to that information. I don't know what, if any, additional information was provided to the police, and I would expect that those sorts of things will be sorted as we go through the court process. As I've said, teachers are trained in relation to their responsibilities of mandatory reporting and we do expect them to comply with those.

**CHILD PROTECTION**

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:56):** A further supplementary, sir.

**The SPEAKER:** This is a third supplementary; let's just make it a question.

**Mr MARSHALL:** I'm happy to—

**The SPEAKER:** Do you want to ask the question?

**Mr MARSHALL:** Yes, I do. I just would ask that the minister provide some further clarification around the investigation that the department undertook. You said that the department interviewed five people. Was the original alleged victim interviewed, and were the parents of any of the students interviewed as part of that initial investigation?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (14:57):** No, what I said was staff from the school spoke with students who had made allegations against a particular student, and the records indicate that all of the parents of those students were contacted by the school.

**Mr Marshall:** Including the original alleged victim?

**The Hon. J.M. RANKINE:** That is the advice that is in the records. As I have said, that is now a matter that is being contested by the family and, as a result of that, I have asked the chief executive officer to contact the family so that we can get to the bottom of that.

**DA VINCI SURGICAL ROBOT**

**The Hon. R.B. SUCH (Fisher) (14:57):** My question is to the Minister for Health. Can the minister indicate whether the new Da Vinci robot will still be available for public patients requiring prostatic surgery and others who need specialised laparoscopic surgery?

**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) (14:58):** The short answer is yes. We have entered into an arrangement with St Andrew's Hospital for public patients—the same number of public patients who are currently using the machine at the Royal Adelaide—to be able to continue to access the machine at St Andrew's Hospital, including overnight stays. If there are complications with the surgery and those patients require a longer stay, then they will be transferred back to the Royal Adelaide but, generally speaking, it would be an overnight stay and that will happen at St Andrew's—that will be done on a fee-for-service basis.

Under the arrangement of the contract that we have with St Andrew's, for St Andrew's to have the business case to go and purchase the machine, we had to provide them with a minimum number of patients that we would pay for—public patients who would use the machine. That's 120, but I would suspect that it will be much larger than 120. At the announcement on Sunday, we had the clinical leads for ENT, gynaecology and urology from the Royal Adelaide. They are, of course, incredibly supportive of this arrangement we have with St Andrew's and spoke very glowingly. Importantly, these arrangements with St Andrew's will allow registrars in those areas to be able to be trained in using the Da Vinci machine.

We will see how it goes. It's a three-year arrangement with St Andrew's, with a right of renewal at the end of that. If demand for the machine continues to grow and there is a business case for us having a machine full-time located in a public hospital for exclusive public use, then that is something that we will consider. I would think there is probably a reasonably good chance that we would end up acquiring one for the new Royal Adelaide Hospital, but for the next three years we have an arrangement with St Andrew's for public patients to access the machine. It is a fantastic collaboration between the private hospital sector and the public health sector which will bring enormous benefits to public patients who can access this fantastic technology.

**CHILD PROTECTION**

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:00):** My question is to the Minister for Education and Child Development. When was the minister's office first made aware of allegations that a 13-year-old child was sexually assaulted at a southern suburbs school by a year 12 student attending the same school?



**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:00):** My understanding is that the family wrote to the department in late May and their correspondence was copied into my office.

#### CHILD PROTECTION

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:01):** A supplementary: given that the minister's office was informed in late May of these allegations, can the minister outline to the house what response the minister provided to the parents who raised these concerns?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:01):** It was arranged for the principal to meet with the parents and I think that happened the next day or the day after, so very quickly after correspondence had been received by the department and my office. The correspondence was forwarded to the Minister for Police because there was some anxiety by the parents that the police investigation had been underway since March and they were anxious that the matter was not going to end up in court, but there was a response from the Minister for Police confirming that that matter was proceeding.

#### CHILD PROTECTION

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:02):** A second supplementary: if the minister's office was advised about this in May, can the minister advise when she put the investigation in place?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:02):** It was referred very quickly to the Minister for Police's office and, from memory, the correspondence came in on the Sunday and the correspondence was referred to the Minister for Police on the Monday.

#### WARNERTOWN ROAD RAIL CROSSING

**Mr BROCK (Frome) (15:02):** My question is to the Minister for Infrastructure and Transport. Can the minister please advise what is the progress of the conversion of the rail crossing coming into Port Pirie on the Warnertown Road to allow road train access into Port Pirie from the south? At the moment road trains cannot get into Port Pirie and we have had an application before the department for some time. The only way they can come in is to go down to George's Corner, which is an atrocious corner. There have been a lot of fatalities there and it is a very dangerous section. At the moment we cannot get road trains in for the grain harvest coming up, which we all understand will be a bumper season.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (15:03):** I thank the member for his question and I thank the member for Elder for his support.

*Mrs Redmond interjecting:*

**The SPEAKER:** The member for Heysen is warned for a second and final time.

**The Hon. A. KOUTSANTONIS:** It is fair to say that the member for Frome has been very anxious to get an outcome for his community on this issue and I accept that the representations that he is making to the government are indeed sincere and that they are very worthy of consideration.

The interesting point about this piece of infrastructure is that we are doing our very best within our existing allocation of funds to do as much as we can for regional impacts in South Australia in terms of trying to get the best outcomes. I am working with the department to see what outcome we can get for the member. Alas, I have nothing for him today in terms of an outcome, but I know how important this is to his community, especially with harvests coming up and I understand—and I know the department understands as well—how important it is to get an outcome for you quickly.

I am looking forward to dealing with, of course, the new transport minister, Mr Truss. I understand he has a very deep concern and care about regional issues and I know that he is very keen to get a foot in South Australia, especially in regional areas about what they can do to try to help with some road infrastructure. I was, of course, very disappointed that both major political parties made almost no regional infrastructure spending announcements in South Australia.

I indeed note that the seats of Grey, Barker and Mayo were won by the Liberal Party in a canter and not one piece of regional road infrastructure was announced during the election campaign, but I know that Mr Truss is a very good man. He cares very deeply about regional issues and I will be doing everything I can to ensure he is better informed about the concerns of regional South Australia and see what our new Deputy Prime Minister can offer the regional residents of South Australia.

### IRON ORE

**The Hon. L.R. BREUER (Giles) (15:05):** My question is to the Premier, following on from his ministerial statement earlier today about the benefits of growth in our mining and energy industries. Premier, can you update the house on today's significant step to unlocking the iron ore potential of South Australia's Mid North?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (15:06):** It is quite appropriate that the member for Giles asks this question, that electorate being the home of really the first iron ore development in this nation and a very substantial part of South Australia's and indeed the nation's economic history. Once again, iron ore is proving to be one of the exciting prospects for South Australia's economic future.

This government has entered partnerships with industry and the community to foster the development of our state's diverse resources sector. It is the key element that the South Australian government brings to the table—that is, sponsoring these partnerships—that has brought together businesses of different types with different capabilities and capacities with the support of the community to actually unlock these resources.

We have gone from four mines to 21 and the mineral and resources production has reached the second highest level on record in 2012 at \$6.2 billion. For some time, the Braemar province in the Mid North of this state has been the subject of keen exploration. Unlocking the iron ore potential of this province is now one step closer, following an agreement today between Royal Resources Limited and Braemar Infrastructure.

Royal Resources and Braemar Infrastructure have announced an agreement that puts Royal Resources on a path to becoming a foundation customer for the Braemar bulk export project in the iron ore-rich Braemar province, east of Peterborough. This is fantastic news for the people of Peterborough. I know this is a town that is doing it tough, and that whole region needs precisely this sort of investment.

What we have here is the coming together of an infrastructure company that is going to run a line of infrastructure from the New South Wales border all the way through to the Yorke Peninsula just above Wallaroo and bring essentially a service line of water, electricity, transport infrastructure and a slurry pipe to transport the ore from the mine site to an innovative new floating platform to take this ore off to the overseas markets. It is an incredibly exciting prospect.

The iron ore in the Braemar province is rated as amongst the highest quality in the nation, so much so that they are seeking to brand it as Braemar iron ore, so that because of its reliability and its quality, it will actually attract a premium and will also attract overseas Chinese investors in particular.

If successful, the project will create 2,500 jobs from the port to the mine site and add a significant boost to the economic fortunes of the state's Mid North. Royal Resources understands its responsibilities as a corporate citizen, so they are already, in a sense, investing in the community. They know they need a social licence as well as a formal regulatory licence, so they are working with the people already in some of these regions who sorely need the work.

Royal Resources, through its Razorback premium iron project, now controls 418 million tonnes of magnetite ore, capable of sustaining production of 8.5 million tonnes a year for the next half a century. As a foundation customer, Royal Resources has given Braemar Infrastructure the confidence it needs to push ahead with its investment in a multi-user facility.

So, it will not just unlock Royal Resources; it will unlock Havilah's resources and Minotaur's resources, and that is just south of the rail line. There is north of the rail line, and there are many opportunities that will open up. Today's announcement follows the decision today to declare the Braemar Infrastructure Pty Ltd's bulk export project a major development. The infrastructure corridor will not only unlock the opportunities of this region but also allow us, I think, to realise our ambition to be not only a mining producer but also a mining services hub for the nation.

**CHILD PROTECTION**

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:10):** My question is to the Minister for Education and Child Development. Has the minister provided any direct response to the family who has complained directly to her regarding this matter?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:11):** As I said, the family copied my office into correspondence they sent to the department. They received a letter, as I understand it, in early June. Their correspondence came in on the Sunday, I think it was, 27 May, and early June a response was sent to the family advising that it had been referred to the Minister for Police for investigation, and a formal response from the Minister for Police went to the family in mid-July.

*Mr Marshall interjecting:*

**The SPEAKER:** Supplementary, I take it.

**CHILD PROTECTION**

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:11):** Supplementary: just for clarity, is the minister suggesting that there was no direct correspondence with the minister's office and, secondly, that there has been no direct response from the minister's office to the family?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:11):** My understanding is what we received in an email was a copy of what was sent to the department, and as a result of that we referred that to the Minister for Police. I have seen a copy of the letter that went to the family advising them that that action had been taken and that the Minister for Police responded to the family in mid-July.

*Mr Marshall interjecting:*

**The SPEAKER:** Is this a further supplementary?

**CHILD PROTECTION**

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:12):** A further supplementary—just clarity: there has been no correspondence from your office as minister to this family?

**The Hon. J.J. SNELLING:** Point of order: you cannot ask the same question three times and try to dress it up as a different question.

**The SPEAKER:** I will allow the supplementary question, and that will be the final supplementary on this line.

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:12):** A letter went from my office to the parents in early June advising them that the matter had been referred to the Minister for Police.

**ADELAIDE CRICKET TEST**

**Mr SIBBONS (Mitchell) (15:12):** My question is to the Minister for Recreation and Sport. Can the minister inform the house about Cricket Australia's selection of Adelaide Oval to host an Australia v India test match?

*Ms Chapman interjecting:*

**The SPEAKER:** Before I call the minister, I warn the member for Bragg for the first time. Minister for Tourism and Sport.

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (15:13):** I thank the member for Mitchell for the question. I was delighted, on the evening of 11 September, to receive a phone call to say that Adelaide would indeed host an India versus Australia test match in the 2014-15 season. Because of the World Cup, we are hosting an India versus Pakistan and an Australian quarter-final, provided they make the quarter-finals of the World Cup cricket in March 2015. The test matches have had to be reduced. Where normally we have five or six test matches in Australia, in 2014-15 we will only have four.

We knew that Hobart was going to miss out, and Sydney and Melbourne were guaranteed test matches, but the other two tests would be decided between Perth, Brisbane and Adelaide. Perth was initially favoured as being able to receive a test match because of the three-hour time

difference during daylight savings time. We were very worried about not being able to get this test match, and so was SACA.

Ian McLachlan was working very hard on it, plus the executives down at SACA as well. The Premier wrote to James Sutherland, the CEO of Cricket Australia, and I wrote to all the board members of Cricket Australia as well, to just point out to them that we have invested half a billion dollars in the Adelaide Oval, and taxpayers of this state would not look very favourably on South Australia missing out on a test match in the 2014-15 series.

I want to thank Wally Edwards, Chairman of Cricket Australia. He has been terrific. I met with him on 30 July in Melbourne, and we spent a fair bit of time on the phone in the couple of months leading up to the vote. He was always accessible, and although he could never give too much away he always took on South Australia's point of view.

South Australian taxpayers have put a lot of money into the Adelaide Oval and we wanted to make sure that they were not left disappointed, as Perth was left disappointed. When we look at some of the quotes from the Western Australian Cricket Association after the decision had been made, their CEO said:

The ongoing effects this loss will have on the WACA and cricket in Western Australia will be devastating and we are extremely disappointed by the decision...

We did not want to be in that position. We went out and fought hard and we made a real point for the Adelaide Oval to have a test match. Members opposite want to laugh at that. The member for Davenport put out a media release saying that we overspruiked the victory. Be in no doubt at all that we could have missed out on this test match had we not been out there fighting for it. Rob Lucas in another place tweeted:

Great to see Weatherill/Bignell have 'fought and won' AdelOval test given we have always had one! Now going to 'fight' to keep AdelCup here!

**Ms CHAPMAN:** Point of order: he is now quoting a member of the other parliament. This is absurd debate.

**The SPEAKER:** I am sorry; could the member for Bragg tell me what in standing orders would prevent his quote and the minister quoting a member of another parliament?

**Ms CHAPMAN:** Let me put this to you, Mr Speaker: it is not only a reflection on the person in the other house but, secondly, it is debating the matter by attempting to use statements of another party in another house to try and bolster his position.

*The Hon. A. Koutsantonis interjecting:*

**Mr Goldsworthy:** He is actually debating.

**Mr GOLDSWORTHY:** Thank you, member for Kavel, for your assistance, and thank you to the member for West Torrens for invoking rule 303. I will listen carefully to where the minister goes. There may be some merit in the contention that his answer has crossed over into debate. There is no merit in the member for Bragg's first point of order.

**The Hon. L.W.K. BIGNELL:** Thank you, Mr Speaker. Cricket fans and people who follow the game here know that there was no doubt that we could have missed out on that test. We had to work very hard and we are continuing to work hard on other things to get sport to the Adelaide Oval. Last week, I met with the head of the Australian Rugby Union to talk about 2025 and the British and Irish Lions tour of Australia. We want to have a rugby test match here in 2025.

You have to put in that work now, because a decision will be made in the next two years. You do not just sit back and hope that sporting organisations are going to gift the Adelaide Oval sporting events: you have to go after them. The British and Irish Lions bring with them 30,000 fans, and they were here this year. They tour Australia every 12 years, and what that is worth to the South Australian economy is huge.

Of course, the India-Australia test will bring people into this state for five days for that test, but it also will put Adelaide on the television screens of millions and millions of people right across the subcontinent. It will follow on from that that we will have that India versus Pakistan one-day match in the opening round of the international Cricket World Cup, which will reach an audience of one billion people.

**The SPEAKER:** Yes, the member for Unley.

**Mr PISONI:** Sessional orders, sir: timing.

**The SPEAKER:** The member for Unley is wrong and, accordingly, is called to order. The minister.

**The Hon. L.W.K. BIGNELL:** We are also going after the corporate market with the AFL to make sure that, when teams come to visit Adelaide Oval next year, they bring with them their corporates. For the first time, the marketing managers of the AFL—

**The SPEAKER:** Alas, the minister's time has now expired.

**The Hon. I.F. EVANS:** Point of order. I will just raise for the Speaker's consideration: do you think it is in order to warn a member for being five seconds out on the timing when there is no time clock for a member to be that precise by?

**The SPEAKER:** Yes, I do, and I will continue to warn members for frivolous points of order that disrupt the business of the house, as the member for Unley's did. The member for Unley took a point of order on no reasonable basis.

#### CHILD PROTECTION

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:18):** My question is to the Minister for Education and Child Development. Now that charges have been laid against a former student for an alleged sexual assault on a 13-year-old girl, when and how was the school community notified of this?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:19):** As far as I am aware, the school community has not been notified, but the parents of the students involved have been notified. The information that I have is that police have taken statements from the other students and no charges have been laid in relation to those interviews. I am relying very heavily, as you can imagine, on the records that the school has kept. It is some considerable time ago.

There is some disagreement with what has been recorded by the school and the parents, and I understand that they would be distressed about the circumstances in relation to their daughter. That is why I have asked the chief executive officer to make arrangements to meet with this family.

I have met with many families myself in relation to historic events, and I understand how hurtful and distressing these circumstances can be. I also understand that counselling was also offered for all of the students. I would be very keen to know whether the families can validate that offer as well, because I think that it is incredibly important that students are looked after and provided with the support that they need if an event occurs that causes them distress.

#### CHILD PROTECTION

**The SPEAKER:** Supplementary?

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:20):** Yes, sir: can the minister advise or clarify how and when the victim and her parents were offered counselling?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:20):** My understanding is that there was counselling offered when the parents met with the principal, following receipt of their correspondence this year—

**Mr Pisoni:** Three years later!

**The Hon. J.M. RANKINE:** —and my understanding is that also, at the time of the incidents, that was offered. Again, I am going on the record that the school has provided.

**The SPEAKER:** The member for Unley is warned for the first time. Supplementary?

#### CHILD PROTECTION

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:21):** Yes: can the minister just clarify when she was first made aware of this difference in recollection between the parents and the school regarding the incidents surrounding this matter, and when she then subsequently ordered an investigation into this difference of opinion?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:21):** I would have to go back and check in detail what was in the correspondence from the parents in May. My recollection was that there were concerns about the delay in the police investigation, and that is why the matter was referred to the Minister for Police. But, I have asked, since this matter has been raised, that the new chief executive make contact so that we can sit down with the parents and talk with them one on one to ascertain where there may be differences in relation to the advice provided by the school and that which the parents are claiming occurred.

#### CHILD PROTECTION

**The SPEAKER:** Is this a further supplementary from the leader?

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:22):** Further and final, sir.

**The SPEAKER:** Because the last one probably was not a supplementary.

**Mr MARSHALL:** I just would ask when did the minister ask the chief executive to conduct that investigation?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:23):** I haven't asked him to investigate the parents at all; I have asked him to contact the parents so that he can have a discussion with them. I know the parents met with the principal very shortly, just days after their correspondence was received, and that request was put to the chief executive officer this morning.

**Mr Pisoni:** When it went to the media?

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

#### NURSES AND MIDWIVES ENTERPRISE AGREEMENT

**Mrs VLAHOS (Taylor) (15:23):** My question is to the Minister for Health and Ageing. Can the minister update the house on the nursing and midwifery enterprise bargaining agreement?

**The Hon. J.J. SNELLING (Playford—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for Defence Industries, Minister for Veterans' Affairs) (15:23):** I thank the member for Taylor for her interest in this very important issue. The state government and the Australian Nursing and Midwifery Federation (SA Branch) have agreed on the terms of offer for the new enterprise agreement for South Australia's public sector nursing and midwifery employees.

The government and the ANMF have been working closely to reach an agreement that is fair and reasonable to all involved. Reaching agreement on the terms is great news for South Australia's patients and families, as well as nurses and midwives. The proposed agreement means patients continue to have access to high-quality nursing and midwifery care, and also recognises the tremendous effort and dedication that our nurses and midwives show every day.

It is very pleasing that we were able to reach agreement in such a short time, and I personally thank everyone involved for their effort and candour as part of these discussions. By offering attractive working conditions, including ongoing professional development for our nurses and midwives, we hope to keep South Australia as a leader in health care. Nurses and midwives from across the South Australian public healthcare system will be able to vote on the proposed enterprise agreement by ballot during October. Subject to that ballot, formal agreement will be sought from the Industrial Relations Commission of South Australia.

The new agreement includes a new staffing model for metropolitan and country health units and improvements to the professional development provisions for nurses and midwives. It will also provide the flexibility to continue to improve efficiency across the health system. Nurses and midwives would receive a general salary increase of 3 per cent per annum for the next three years, as well as a professional development allowance from July 2016.

Can I take this opportunity to commend CEO and secretary Elizabeth Dabars, Rob Bonner and all the team at the federation and the CEO of SA Health and his dedicated staff for their collective efforts to find a positive way through what were complex negotiations. South Australians will continue to enjoy the best nursing and midwifery care in the country, with South Australia setting the new staffing levels based on the best evidence available.

### CHILD PROTECTION

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:25):** My question is to the Minister for Education and Child Development. Why wasn't the school community notified, given that Mr DeBelle recommended, and I quote from page 601 of his inquiry report, 'Where it is suspected that there might be other victims, it is desirable that parents should be informed of that suspicion so that they may be alert to behaviour of their children that might be indicative of some form of sexual offending against them'?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:26):** This is an event that occurred back in 2010, and as I said, at the time, the school assessed this as being a matter of sexual harassment. So, it is not an issue that I suspect they would have contacted the school community about. Each case is assessed on its own merit.

### CHILD PROTECTION

**The SPEAKER:** A supplementary, leader?

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:26):** Yes, sir. Given that charges have now been laid, will parents of the school involved be informed of the allegations?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:27):** In this particular case, which is before the courts currently, there are other students who were involved, and as I understand, as a result of the statements taken, no further action has been taken by police. But this is something that I am very happy to refer to the interagency task force to have a look at, because it appears to me to be quite different to some of the other events that we have had. This is initially a student-on-student event, and we will have the interagency task force have a look at it, and I am happy, again, to take some recommendations from those people who are working directly in that area.

### OIL AND GAS SECTOR

**The Hon. J.D. HILL (Kaurua) (15:27):** My question is to the Minister for Mineral Resources and Energy. What recent developments in the state oil and gas sector have occurred?

**The SPEAKER:** Well, the minister has a lot of scope here. Minister.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (15:28):** Thank you very much, Mr Speaker. This government supports the resources sector, which continues to pay dividends to our towns, cities and communities of this wonderful state. The government is working closely with industry, and industry has secured ongoing investment, ensuring the ongoing expansion of the state's vibrant oil and gas sector.

Just last month, the Premier and Mr Ian Davies, the chief executive officer of Senex Energy, stood side-by-side as they announced that by working together we have paved the way for more than a quarter of a billion dollars in exploration and appraisal in the Cooper/Eromanga Basin to be fast-tracked. It was because of a strong government working with a strong industry that we were able to provide the regulatory certainty needed for this investment, an investment that is expected to see the creation of nearly 200 new jobs, and an investment that is just one of many providing opportunities to the people, the businesses and the communities of South Australia.

Mr Ian Davies of Senex described the current resurgence of investment in oil and gas in this state as a return to the 'golden age in the Cooper Basin'. South Australia is set to capitalise on this golden age through what industry leaders are describing as a visionary approach by this government and its agencies—an energy revolution that is happening right here, right now. I am sure that you are all well aware that when the tap was turned by the Premier on the Santos Moomba-191—a national first for commercial operation of deep shale gas wells and one that provides, to this very day, enough gas to power 40,000 homes across this country—it was only scratching the surface of our deep gas potential.

Across South Australia we see Santos, Beach Energy, Senex, Chevron, BP, Statoil, Northern Petroleum, Cooper Energy and others lining up to expand their businesses and their commitments both onshore and offshore of South Australia. This potential is only matched by the success stories of what great companies are already doing right here in South Australia.

Recently we have seen South Australia's own Beach Energy announce a record revenue of \$700 million on the back of extraordinary growth. Beach Energy is now the number one oil producer in the Cooper Basin, producing more than 10,000 barrels of oil a day. Senex Energy also experienced strong growth from the doubling of oil output to 1.25 million from their Cooper operations, and Drillsearch posted an after-tax profit of \$45 million, up from \$10 million, due to record production and revenue.

Billions of dollars are being invested and billions of dollars are going to be invested across our state. This investment and jobs could have gone interstate. The Cooper Basin goes across borders but it is going on here and it is going on right now, and that is no accident. It is a result of deliberate government policy to create an investment environment that inspires confidence.

Time and time again this government has shown that South Australia works best when we work together with industry. We know that the resources sector in this state has expanded from four mines a decade ago, and that is no accident. The government—whether through PACE or the road map for unconventional gas, or a world-leading regulatory environment recognised internationally—has been there to assist industry invest, grow and create jobs. It is a proactive approach to encourage, facilitate and grow investment. It is an approach that is in stark contrast to the governments of Victoria and New South Wales—

*An honourable member interjecting:*

**The Hon. A. KOUTSANTONIS:** I'm not sure how—that have sought to stop investment in oil and gas by enacting moratoriums on fracking, not through science but through fear. Those governments are conservative governments and they are a disgrace.

*Members interjecting:*

**The SPEAKER:** I think the Minister for Minerals and Energy is now starting to debate the matter; in fact, I thought he was debating it earlier until the leader interjected 'Hear, hear', which caused me to pause in pulling the minister up. I also remind the minister that 'It is no accident' was a favourite expression of Lenin and the Bolsheviks.

**The Hon. A. KOUTSANTONIS:** Withdrawn!

#### CHILD PROTECTION INQUIRY

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:32):** My question is to the Premier. Can the Premier assure the house that none of his ministerial staff have had any discussion with the CEO of the education department or any of the CEO's legal advisers about the issue of possible penalties for public servants arising from the Debelle inquiry?

*Members interjecting:*

**The SPEAKER:** Yes, can we have that again, because I am not sure that I follow it?

**Mr MARSHALL:** I am happy to do it again, sir. Can the Premier assure the house that none of his ministerial staff have had any discussion with the CEO of the education department or any of the CEO's legal advisers about the issue of possible penalties for public servants arising from the Debelle inquiry?

**The SPEAKER:** Okay, that's clear, thank you.

*Mr Pengilly interjecting:*

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

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (15:33):** I understand the question to be: have members of my staff sought to ascertain what the situation may be in relation to disciplinary action in relation to staff members of the education department? I don't know the answer to that question, but if they are making inquiries about that matter I would have thought it is pretty natural.

It has been a matter of some regular comment and interest by those opposite and the general community about what the fate of those disciplinary matters are, and we are awaiting and looking forward to the outcome of those matters. Indeed, I think those opposite have been regularly inquiring about these matters, as has the minister's office, and we are awaiting, of course, the chief executive's deliberations, which are entirely matters for him.



### CHILD PROTECTION INQUIRY

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:34):** A supplementary question, sir: perhaps the Premier could outline to the house why it would be perfectly natural for a ministerial adviser to be speaking with the chief executive officer of the education department or his legal counsel about penalties that the education department itself will be putting in place with follow-up from the Debelle inquiry?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (15:34):** The first thing I said is that I'm not aware of the situation, but I did say that it would be perfectly natural, if we are being asked questions about this, to make our own inquiries to see what the progress is of a matter of some significant public interest, that is, the progress of disciplinary proceedings against various members of the Department for Education, which are notorious matters of public interest. I think that is completely routine.

### MOTOR ACCIDENT COMMISSION

**Ms THOMPSON (Reynell) (15:35):** My question is to the Minister for Finance. Can the minister advise the house about the Motor Accident Commission's financial performance for the 2012-13 financial year and what this means for South Australians?

**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) (15:35):** I thank the member for Reynell for the question. Recently, the Motor Accident Commission finalised its financial results for the 2012-13 financial year. Consistent with projections made at the time of the 2013-14 budget, the commission's financial results demonstrate a significant outperformance against original estimates.

The final result for 2012-13 is for an operating profit of \$371.2 million, reflecting an improvement of \$295.9 million over the original budget of \$75.3 million. This is largely due to an outperforming investment result and associated contribution from higher discount rate movements, reduced claim payments, as well as lower claims provisions.

With a further strengthening of its solvency position confirmed during the 2012-13 financial year, and as published in the 2013-14 budget, the commission recently provided a one-off contribution of \$100 million to the government. South Australian motorists will benefit directly from the commission's contribution, with investments of \$52.3 million having already been allocated toward the following road projects:

- \$3.2 million for the upgrade of the Britannia roundabout to improve road safety and traffic flow, and that work is currently underway;
- \$21 million for the state's contribution toward upgrading the main access roads into the APY lands;
- \$12.4 million for the state's contribution toward improving the safety and efficiency of the South Eastern Freeway;
- \$7.7 million over two years for the upgrade of the North East Road and Sudholz Road intersection to improve the safety and efficiency of this particular intersection;
- \$4 million over two years for the upgrade of the Magill Road and Glynburn Road intersection to improve safety and capacity and reduce delays;
- \$2.5 million over two years for the installation of traffic signals at the intersection of Golden Grove Road and Grenfell Road (East), Surrey Downs, to provide improved and safer access, as well as safer crossing facilities for pedestrians; and
- \$1.5 million over three years for the installation of ten fixed-location road safety cameras at mid-block points on high risk metropolitan arterial roads at locations which have a history of crashes or speeding motorists.

The \$100 million contribution has only been provided to the state in exceptional circumstances, arising as a result of the commission's markedly improved investment performance against budget. This decision by the government to continue to invest in the state's infrastructure means that our roads will be a better place for South Australian motorists, cyclists and pedestrians alike. The

government will continue to work with the Motor Accident Commission to reap the benefits of positive returns against budget to ensure our roads can be safe for all.

#### **MOTOR ACCIDENT COMMISSION**

**The Hon. I.F. EVANS (Davenport) (15:39):** Supplementary. Following the minister's answer where he says it was a one-off contribution of \$100 million from the Motor Accident Commission to the government, can the minister rule out the government asking for or receiving any further one-off contributions from the Motor Accident Commission between now and 30 June of next year?

**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) (15:39):** I think I can.

#### **CHILD PROTECTION INQUIRY**

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:39):** My question is to the Premier. Does the Premier believe that the same principles he applied in explaining why he didn't sack his ministerial advisers should be applied to senior public servants named in the Debelle inquiry?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (15:40):** I made the judgements that I made about the disciplinary action for my ministerial advisers based on the findings of the Debelle inquiry. You see, we put in place a royal commission because we believe that royal commissions are important institutions and that their findings should be taken seriously.

Indeed, the Royal Commissions Act provides that the findings of a royal commission cannot be challenged in any court of law. They are binding; they are as a court. There is only one political party in South Australia that has had the temerity to cast doubt on those findings, and it's been those opposite.

**The Hon. I.F. EVANS:** Point of order, Mr Speaker: can you draw to the attention of the minister that Family First actually moved for an inquiry and they are a different political party to Her Majesty's Loyal Opposition?

**The Hon. J.W. WEATHERILL:** I am happy to—

**The SPEAKER:** I am not sure that that's a point of order. I think that's just making an impromptu speech.

**The Hon. J.W. WEATHERILL:** I am very glad of the contribution though because, indeed, nobody from any other party has made a contribution of the type that was made by Mr Lucas in the other place, which directly contradicted the findings of the royal commission. The Leader of the Opposition has to take political responsibility for allowing a senior member of his front bench to make that contribution.

**Ms CHAPMAN:** Point of order: this question was very specific about whether the Premier is going to apply the same standard to public servants as he did to his own ministerial staff. It has nothing to do with what was in the Debelle inquiry.

**The SPEAKER:** I think it has everything to do with the Debelle inquiry. The Premier.

**The Hon. J.W. WEATHERILL:** The very factual material which actually leads to the question of disciplinary action against my ministerial advisers are the very findings that are contained within the Debelle inquiry, and contained within the Debelle inquiry are all of the relevant findings about what they failed to do. Remember, that's the first thing that we should grapple with here: it was a failure to do something—not a decision to do something but a failure to do something. A mistake, granted, but nevertheless, a failure to do something.

Mr Debelle speaks in detail about the nature of that mistake. He also talks about the fact that he accepts the remarks that were made by my chief of staff about the proper relationship between a ministerial adviser and a departmental person, and said that there is a separation of matters that are appropriately the province of a departmental professional public servant and different matters that are the province of ministerial advisers.

He makes the very clear finding that my ministerial advisers were entitled to rely upon the information that they received to assume the matter was being handled appropriately, because

they were told that. It's another matter that they didn't pass the information on to me, and that was a mistake, but that needs to be said against the nature of the mistake that was made and in the context in which it was made and, indeed, their long and meritorious service.

Both of those advisers have been extraordinary servants, not just of me but of the state. I think it is completely wrong, the focus that's being brought to bear in this house on ministerial advisers. If those opposite ever do have the opportunity to sit in the Treasury benches—

**Ms CHAPMAN:** Point of order, Mr Speaker.

**The Hon. J.W. WEATHERILL:** —woe betide the precedent they have established.

**Ms CHAPMAN:** A lecture to the opposition isn't within his jurisdiction to start with or, secondly, relevant to the question.

**The SPEAKER:** Has the lecture finished?

*Members interjecting:*

**The SPEAKER:** Leader.

#### CHILD PROTECTION INQUIRY

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:44):** My question is again to the Premier. Have any of the 11 public servants subjected to possible disciplinary action after the Debelle inquiry been given a promotion before the disciplinary proceedings were concluded?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:44):** As far as I am aware, since Mr Harrison has taken over as CE, there have been no movements of public servants, but since—

**Mr Marshall:** Are you sure?

**The Hon. J.M. RANKINE:** No, I am not sure. I am saying, as far as I am aware, there have been no movements. Mr Harrison is managing this process, which hopefully will come to a conclusion in the relatively near future. I have to say I have the utmost confidence in both his capacity and his integrity to undertake this in an appropriate and proper manner.

*Members interjecting:*

**The SPEAKER:** I call the shadow minister for transport to order and also the member for Reynell.

#### CHILD PROTECTION INQUIRY

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:45):** My question is again to the Premier. Have any of the 11 public servants subject to possible disciplinary action after the Debelle inquiry requested a TVSP, and is this being considered by the education department?

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:45):** All matters in relation to the 11 public servants are being managed by the chief executive officer. As I have said, I think his determination around all of these matters is coming to a conclusion, hopefully in the very near future, and he will have answers to all of your questions.

#### CHILD PROTECTION INQUIRY

**Mr MARSHALL (Norwood—Leader of the Opposition) (15:45):** Supplementary question: can the minister advise the house when that investigation is likely to come to a conclusion?

**The SPEAKER:** That is not a supplementary, but I will allow it as another question.

**The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:46):** My understanding is that it is very close to finalisation.

#### ROYAL ADELAIDE HOSPITAL

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:46):** My question is to the Minister for Health. Why has the minister approved the design of the emergency department at the new RAH to be based on the design of the emergency department at the Flinders Medical Centre?

*Members interjecting:*

**The SPEAKER:** The member for Kavel is leading a chorus of disruption.

**The Hon. J.J. Snelling:** He's been doing it all day, sir!

**The SPEAKER:** With great regret I warn him for the first time as my gift on the feast of his nativity.

**The Hon. J.J. SNELLING (Playford—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for Defence Industries, Minister for Veterans' Affairs) (15:47):** The simple answer to the question from the deputy leader is that the design of the emergency department at the new Royal Adelaide Hospital is not based upon the design of the Flinders Medical Centre, something that I have been previously asked about and put on record as being incorrect.

**The SPEAKER:** Would the deputy leader like a supplementary on that?

**Ms CHAPMAN:** No; that won't be necessary, thank you.

#### NOARLUNGA RAILWAY LINE

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:47):** My question is to the Minister for Transport and Infrastructure. Will diesel services be operating on the Seaford line at the same time as electric trains when the electric train services begin early next year?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (15:47):** I imagine that they would, and I imagine that we would have as many services as possible. I hope that we are inundated with people who want to use public transport, and we will do as much as we possibly can to cater for them. If there are any operational reasons why we cannot, I will come back to the house and let the member know.

#### NOARLUNGA RAILWAY LINE

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:48):** I have a further question to the Minister for Transport and Infrastructure. Do the contracts for track upgrade, traction power and signalling on the Noarlunga line include a handover deadline to allow services to resume and, if not, why not?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (15:48):** I cannot answer the 'why not', because I did not negotiate the contracts. We allow—

**Ms Chapman:** Patrick, then.

**The Hon. A. KOUTSANTONIS:** No; Patrick would not have negotiated them either. It would have been negotiated by the department. That is how it works.

**The SPEAKER:** Neither the deputy leader nor the Minister for Transport will refer to the member for Elder by his Christian name.

**The Hon. A. KOUTSANTONIS:** Yes, Mr Speaker. I think it is a common practice and prudent that it not be ministers who personally negotiate contracts with private companies or contractors. That should be done appropriately. In terms of the member's question, I will get a detailed answer for her back to the house, and I refer her to my ministerial statement.

#### NOARLUNGA RAILWAY LINE

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:49):** My question, again, is to the Minister for Transport and Infrastructure. What was the date and what action is being taken to recover the costs associated with keeping the line closed?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (15:49):** Keeping the line closed—I assume the deputy leader is talking about the loss of revenue from sales of tickets. I think it is fair to say, as I said in my ministerial statement, the resumption of diesel services was to try to alleviate some of the long suffering the people of the south are going through while we go through this unprecedented infrastructure spend.

It was not an issue of revenue: it was an issue of convenience and trying to do as much as we could to alleviate congestion on our roads in the south. The people of the south, it is fair to say, in the context of your question, are going through an unprecedented level of inconvenience. They have the duplication of a highway going on; they are having the rebuilding of bridges going on—

**The Hon. J.D. Hill:** And we're happy about it, let me tell you. We are happy about it.

**The Hon. A. KOUTSANTONIS:** I am sure you are very happy about it, but they are going through lots of inconvenience. They are having a record number of motorists being diverted onto other roads that are not usually being used. They are seeing a record number of buses on their roads because the rail services are not operating, so our intention on the diesel line was to try to alleviate inconvenience. It was not about returning revenue. The revenue is good but ultimately we have always decided on resuming services with electric trains early in the new year.

The diesel services were about convenience for the long-suffering commuters who are using substitute buses. I would like to see diesel services resume as fast as we possibly can. Unfortunately—and I have apologised publicly—we are unable to do so. We desperately want people back on diesel services. We do not want them on the buses when they can catch a perfectly good train service but, unfortunately, we have been let down and people are being inconvenienced and we are doing everything we can to try to alleviate the position as quickly as possible.

What we are doing is offering free bus services for all substitute services from Noarlunga to the city as of 1 October. I know it is cold comfort to many who have had to bear with the inconvenience of catching substitute buses and I want to thank them. Indeed, I am meeting with a delegation of commuters this week to discuss what else we can do to make it a little bit easier. My message to them though is: hang in there, we are nearly done, and I will get an answer back to the house soon.

#### STATE OF THE ENVIRONMENT REPORT

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (15:52):** I table a copy of a ministerial statement relating to the State of the Environment Report made earlier today in another place by my colleague the Minister for Sustainability, Environment and Conservation.

#### WESTERN MOUNT LOFTY RANGES WATER ALLOCATION PLAN

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (15:52):** I table a copy of a ministerial statement relating to the Western Mount Lofty Ranges Water Allocation Plan made earlier today in another place by my colleague the Minister for Sustainability, Environment and Conservation.

#### SPEAKER'S RULINGS

**The SPEAKER (15:52):** On the last sitting Thursday, the member for Stuart said:

Mr Speaker, the question was very specifically asking the Premier to tell the house about his plans to renew the public sector, and he is straying from that under standing order 98.

I replied:

I will read the *Hansard* and I will rebuke the Premier if necessary if the question is as you say it is.

I have read the *Hansard* and I have rebuked the Premier.

On the last sitting day, while providing information to the house in support of my ruling relating to an inadmissible question that was seeking an answer to a question requiring information set forth in accessible documents, I also advised that I would not be enforcing what I thought was the practice of the House of Commons that ruled that questions referring to the evidence of witnesses or other matters before a royal commission were inadmissible.

A member sought clarification of my ruling and queried whether the House of Commons practice applied to a royal commission during its inquiry or whether the practice related to all questions relating to a royal commission during its inquiry and after it had reported. I took the matter on notice.

Erskine May does not sustain the argument that House of Commons' practice regards as inadmissible all questions relating to royal commissions and applies the same restrictions on such questions and debate as it applies to questions and debate relating to the evidence given before a

parliamentary committee—that is, questions are inadmissible and debate is out of order until the committee and, by extension, a royal commission has reported.

Erskine May alludes to resolutions passed by the House of Commons in 1963, 1972 and 2001 about the sub judice convention that appears to apply to matters awaiting the adjudication of a court of law, including the proceedings of a royal commission. This is supported by House of Representatives' practice, which, in the discussion of the application of the sub judice convention in the House of Representatives, has regard to the same House of Commons' resolutions, and notes that in House of Representatives' practice, and I quote:

The convention has also been applied in respect of Royal Commissions.

The House of Representatives' practice makes it clear that the chair and the house should consider applying the sub judice convention to any judicial or quasi-judicial body where there is a possibility of prejudicing or appearing to prejudice proceedings. About the royal commission report that was the subject of questions of last sitting Thursday, it should be noted that the royal commission has reported and that the report is a tabled parliamentary paper and a public document. However, the House of Assembly has traditionally honoured the sub judice convention, so some caution is now required about the possible prejudice to any legal proceedings that may flow from the royal commission findings.

## GRIEVANCE DEBATE

### CHILD PROTECTION

**Mr PISONI (Unley) (15:56):** Today we heard yet another example in this chamber of this government's casual attitude in dealing with child sex offences in our schools. Three years ago, in 2010, when the Premier was the education minister, a 13-year old girl reported to her year level teacher that a year 12 student had sexually assaulted her. The school brushed it off as sexual harassment. There was no mandatory report to the child abuse line by the teacher, nor the school, even though the act is clear, and I quote from section 11 of the act:

Notification of abuse or neglect

- (a) a person to whom this section applies suspects on reasonable grounds that a child has been or is being abused or neglected; and
- (b) the suspicion is formed in the course of the person's work (whether paid or voluntary) or of carrying out official duties,

The act goes on to identify that:

This section applies to the following persons:

- ...(h) a teacher in an educational institution (including a kindergarten):

So there is no doubt that there was a breach of the act, and a \$10,000 fine is what that can result in. Why did the school dismiss the report as sexual harassment and not call it what was, that is, sexual assault? The Legal Services Commission have on their website for everybody to see the definition of indecent assault, and here it is:

An assault is any kind of touching (or threat of touching) without a person's genuine consent.

What was the outcome of that lack of action by the school? A couple of months later it is alleged that the girl was assaulted again, and there was also an alleged attempted abduction. The department claims the parents were told and offered counselling, but we know that is not the case. We know that is not the case, Mr Speaker, and I look forward to the minister coming in and correcting the record on that issue. That did not happen. As a matter of fact, the first meeting the school had with her parents was initiated by the parents. Again, the minister did not make that clear in the answers to her questions today. After a reported—

**The SPEAKER:** Member for Unley, are you alleging that the minister misled the house?

**Mr PISONI:** Oh, not at all, sir, not at all.

**The SPEAKER:** Splendid.

**Mr PISONI:** That did not happen. As a matter of fact, the first meeting that the parents had with the school was initiated by the parents after they had reported the matter to the police two years later. The principal signed the meeting notes as a true and correct record of the meeting, but the parents refused to sign it as they did not believe it was a true record of what was discussed. The minister tells us that there has been an investigation, yet the parents were not interviewed or

even contacted. As a matter of fact, they are still waiting for the education minister's office to return their calls or respond to their emails.

Here again is another total breakdown in the process under the watch of Premier Weatherill as education minister, which has simmered for three years and moved through two other ministers only to be ignored again by the current education minister, the member for Wright. The minister told the parliament that she wrote to the family. My understanding is that she did not.

Where did this casual attitude to child protection start in this government? We need to go no further than paragraph 480 of Mr DeBelle's inquiry, where he refers to a meeting of Ms Emery, who was the director of the Office of the Chief Executive, Ms Pat Jarrett, who was manager of the Minister for Education's business office (that is the now Premier), and Mr Damian Smith, who was the administration officer of the Minister for Education's office. In the note of that minute it says:

Pat—

that is Pat Jarrett—

mentioned that the process of monitoring all critical incident reports within the Minister's Office had 'dropped off' since the election and had organised a meeting with Lucille Lord to have the name of an MLO on the database...

So, that was not even established six months after the member for Cheltenham became the education minister to pick up the previous procedures. These were previous procedures that had been ignored, we know, for at least six months. We do not know what the outcome of that meeting was. Mr DeBelle does not explore what the outcome of that meeting was, but what we do know is that the Premier is yet to explain why this happened under his watch when he was the education minister.

### COMMUNITY SPORTING CLUBS

**Ms BEDFORD (Florey) (16:00):** Sport plays a huge role in community life, giving those who participate great opportunities to enjoy all the health and social benefits from being involved. I am grateful to all sponsors supporting community sport and congratulate all clubs on their fundraising and grant application efforts. Last weekend was particularly busy in Florey, with many end-of-season presentations and starts for others.

The North East Hockey Club, the home of the mighty Zulu Warriors, held their junior presentations on Friday night, with their gala senior presentation the following evening, because they now have such a big club with over 400 playing members. They are supported by a great committee and they field teams from the very young Minkeys, just learning their hockey skills, to veterans. Many teams had successful competitive years, with a large number of finals appearances and many great results, meaning 2014 is shaping up to be one of their best years yet. Thanks to Jim and Jenny Hughes and all involved in making the North East Hockey Club such a successful club.

On Saturday night I attended and also represented the member for Wright at the Endeavour Homes Tango Netball Club presentation night, on the invitation of Simon Finlay, their very busy and generous sponsorship officer. A huge crowd, including life members Kaye and Errol Hood, and many other life members and family supporters, was testament to the significant turnaround this club is enjoying following the hard work of the dedicated committee, led by Steve Windle. Tango has returned to the netball premier league under the coaching of the legendary Michelle den Dekker and her coaching staff and managers. Another north-east legend Pat Mickan is still involved as part of the club's coaching development team.

Tango has great potential and, with a strong junior contingent coming up, great depth in their ranks. It is my pleasure to feature the Tango Netball Club on the 2014 Florey electorate calendar soon to be distributed. A stellar year awaits all netballers in the north-east. Tango has adopted Childhood Cancer as their official charity, and I will do my best to eat as many Menz milk bottles as possible to support that charity, because I know funds raised by the sale of those lollies goes to them.

I look forward to attending the forthcoming test between traditional rivals Australia and New Zealand at the fixture in early October here in Adelaide, when we will see netball at its best and most exciting and inspiring. Netball is indeed one of the largest participation sports in the country, and I commend everyone who is involved, both men and women, because it is indeed a mixed sport.

On Sunday, there were calisthenics concerts for two local clubs, the Para Vista Calisthenics School and the Ridgehaven Calisthenics Club. I congratulate both clubs on their dedication to this wonderful sport and can recommend calisthenics as an affordable sport that develops skills for life in both girls and boys. There are boys now joining calisthenics in larger numbers—two or three at least are active.

I called through Golden Grove Recreation and Arts Centre to speak with Para Vista's Sandra Penno, busy as usual at the front of house overseeing the myriad of tasks necessary to make it a successful day. Then I travelled to the Shedley Theatre in Elizabeth to watch the first half of the Ridgehaven calisthenics concert. So many Tinies ensures a great future for this great club, responsible for my initial and continuing involvement in calisthenics now as both a CASA and ACF patron.

I greatly appreciated watching the items and it is evident the care that each and every participant receives from their coaches. Girls from upper levels work with the younger ones and every girl is an important member of the club. Senior coach Tracey Emes continues to oversee great standards and performances that continue to raise the bar. Congratulations to all involved, especially those who make the wonderful costumes, on another great year.

Opening day was celebrated at bowls clubs all over Adelaide and Hope Valley Bowling Club, where I have the honour to be patron, put on another fabulous day in glorious weather, culminating in another of their legendary afternoon teas, during which life membership was awarded to David Waterhouse. I want to put on record a special thank you to all volunteers who work in the kitchen and bar area of this community club, because their work makes such events so enjoyable.

With the day almost over, it was not possible to call into the Tea Tree Gully Croquet Club's nearby clubrooms, where their Swiss doubles tournament had taken place. The chess of lawn sports, croquet has been a popular sport in the north-eastern suburbs for many years, and I was actually a member of the club at its previous home on Bentley Reserve at Holden Hill some 25 years ago.

Their now comfortable and well-appointed clubrooms on Grand Junction Road by Barracks Road regularly hosts visitors from the metro and regional areas. I thank Peter and Kaye Rostron and their committee for all they do, and for always making me welcome whenever I get there.

These activities rounded off a very busy weekend that also saw me travel to Murray Bridge twice to attend the University of South Australia's Australian International Pedal Prix 24-hour endurance event. I look forward to reporting on those activities and results in detail in another contribution.

#### **PEDAL PRIX**

**Mr PEDERICK (Hammond) (16:05):** I will carry on the debate about Murray Bridge and the International Pedal Prix. Certainly, Murray Bridge was host to the 2013 International Pedal Prix event over our most recent weekend. It began at 12pm on Saturday, 21 September, and the 24-hour race this year had a record number of bikes and competitors.

Two hundred and twenty-six bikes and over 3,200 competitors took part in this race, with competitors ranging upwards from year 6 primary school students to cycling enthusiasts in their 40s and 50s. It is a fantastic event for Murray Bridge, and the river town puts on a real festival atmosphere, as the large number of colourful bikes pedal furiously around the beautiful riverside course at Sturt Reserve. Many teams utilise the use of houseboats for some of their members to camp in, just opposite the track, on the river.

I was certainly most pleased to welcome the state Liberal leader and member for Norwood, Steven Marshall, to the race. He had jumped at the chance to wave the starting flag and, I might add, he did a fantastic job. The race was won by Victorian team Tru Blu Racing, which also set a new record for the most completed laps during the race, which was a terrific achievement.

It was great to see Murray Bridge and the Murraylands well represented, with 19 squads taking part from schools in the region. These included: Murray Bridge High School, Unity College, Murray Bridge North Primary, St Joseph's Primary, Mannum Community College, Coomandook Area School and Taillem Bend Primary. Whilst many teams from Adelaide were involved, regional teams from Murrayville, Loxton, Barossa, and as far away as Wudinna also made the trip to Murray Bridge to compete in the 24-hour event. There were also teams from the Northern Territory and Western Australia, along with other places in Australia.



The Pedal Prix is a wonderful initiative for schools to get involved with, and I was certainly proud to see my two sons involved (Mack as a rider, and Angus as professional pit crew), competing with the Coomandook Area School team.

**Mr van Holst Pellekaan:** Professional!

**Mr PEDERICK:** Yes, he has his own T-shirt. The Pedal Prix teaches kids about responsibility, as many take a keen interest in the maintenance of the bikes, and many make new friends from their involvement in the team. It also teaches students to work in a team environment, which is a fantastic skill to learn at a young age.

A lot of hard work is put into preparing for the event, particularly with fit legs for the human-powered race. Students from Murray Bridge High School, for example, have been training twice a week after school for an hour and a half for most of the year; plus, kids do their own bike riding and training, and play other sports. In my opinion, this is one of the most important aspects. Whilst they are out there competing and training, they are getting fit and healthy in the process.

When one considers a recent ABS report that 67.1 per cent of South Australians are overweight or obese, compared to the national average of 63.4 per cent, it is important for our children to become active from an early age and take part in competitions and team sports for their health and wellbeing.

The Pedal Prix certainly has significant and economic benefits which are greatly welcomed in Murray Bridge. Local businesses recognise an increase in foot traffic and business from the many spectators, teachers, competitors, volunteers and parents who visit the town over the course of the event. Event organisers have reported, in addition to the 3,200 competitors, over 7,000 spectators attended the event each day. The Pedal Prix brings in more than \$3 million to the region each year. The town is busy and, as mentioned, it is a really festival atmosphere and it truly is a great thing for Murray Bridge.

I would like to take this opportunity to thank organisers from the Australian International Pedal Prix, and particularly board chairman Andrew McLachlan, who does a terrific job with his team. Andrew and the Rural City of Murray Bridge have put on another successful event. Congratulations to the Victorian team who received top honours; let us see if one of our teams can take top honours next year. Just in conclusion, it is a great event to be involved with. Our team went down there on the Friday. We camped there in our camper trailers, swags and tents and stayed there for the weekend, and it certainly invokes a great team spirit amongst the participants.

It certainly is a great benefit to Murray Bridge and surrounding areas. It really does make a difference in the Australian sporting scene to see so many interstate teams now coming to Murray Bridge. Certainly, talking to a visitor from Melbourne who was there for the first time, he could not believe how good it was. He was there with their Victorian team, and they will certainly be coming back for more of those events over time. I note next year there will be an extra event apart from the Murray Bridge, which is the premier event, and the two at Victoria Park. There will be a new event next year in Loxton.

Time expired.

#### **NOARLUNGA TAFE AND FLINDERS UNIVERSITY**

**Ms THOMPSON (Reynell) (16:10):** Yesterday afternoon, I was very pleased to visit the TAFE Noarlunga campus and celebrate the opening of a Flinders University presence on that campus. It has been my goal, ever since I came to parliament, to have more of a presence of Flinders University out in my southern community. We have had a couple of goes. We had a Flinders University presence at Christies Beach High School for a while. It worked well for a while, but it did not have the ongoing support to sustain it, as there were changes of leadership in both the school and the university.

However, this is a new way of giving the message to young people from the south that they are entitled to go to university. The figures from the last three censuses show that, in my electorate, not nearly enough young people and older people go to university. Unfortunately, they are also showing that their attendance at TAFE is not as strong as it is in the north, for instance, in similar suburbs. This message, down in the atrium at Noarlunga TAFE, that Flinders University is there for them means that people who are using the community library as well as attending TAFE see that university can be part of their aspirations.

There are a number of important links already happening between Flinders University and the south. One of the important ones is their relationship with the South Adelaide Football Club, whereby Flinders is advertised at the ground. It provides physiotherapy students who get work experience on game days, right up to working with the league players. It has had a communications and creative writing student undertaking communication projects at South Adelaide, including interviewing players and staff and writing media releases and newsletters.

The other important project is the Onkaparinga Clinical Educational Program, which is located in its own building just across the road from the GP Plus and Noarlunga Hospital. This is a program whereby third year Flinders medical students, instead of doing their internship in the hospital, come out into the community and are placed not only in Noarlunga Hospital, but with a range of GPs, specialists and services, such as drug and alcohol services, in the south.

This means that these young students are seeing the circumstances where most of them will end up practising medicine. Most of them do not end up in the hospitals, but if you go through the traditional stream, you do not get to find out what happens in a GP surgery. Through the wonderful work of Professor Sarah Mahoney and Linnea Boileau, these young people have opportunities to further their interest in medicine in a real-life situation.

One of the important initiatives of OCEP is to work with Christies Beach High School in the establishment of what is going to be called the Cube. Cube does not actually stand for anything; it was just seen as a name that did not have any derogatory comments and so that students at Christies Beach High School could easily say, 'I'm going over to the Cube'. The details of this are still being worked out.

There are many questions about ethics and appropriate referrals, as well as the role that student doctors can have in dealing with young people in a high school situation. However, the OCEP students have already been working with the Christies students, and last year they held an expo which was about health information where people could ask medical students questions about their mental and physical health and have discussions about wellbeing.

Wirreanda High School is also establishing a wellbeing centre, and they are also looking at working with OCEP to enable young people to have easier access to medical health. This is developing further in that OCEP is now looking at whether they can establish a specialist stream in adolescent health. Given the number of times we hear about the problems that young people in today's community face with the pressures on them with communications technology, this is an initiative to be supported.

### **OPERATION FLINDERS**

**Ms SANDERSON (Adelaide) (16:15):** Last weekend I had the pleasure of going to Operation Flinders and staying at Yankaninna Station and being hosted by John and Jan Shepherd. It was a wonderful experience and, although it was slightly terrifying, I did enjoy the abseiling and still have sore ribs to prove it.

Operation Flinders is such a wonderful program. It is a charitable organisation that runs a world-leading wilderness adventure program for young offenders and young people at risk. The program takes participants between the ages of 14 and 18 on an eight-day exercise in the Far North Flinders Ranges, providing an opportunity for its participants to break away from their past and grow as valued members of the community. The foundation offers a unique program that presents its participants with a new direction in life.

Teams trek 100 kilometres through the spectacular Flinders Ranges with the aim to develop personal attitudes of self-esteem, leadership, motivation, team work and responsibility. They learn basic bush survival skills, are taught to abseil, discover Indigenous culture and learn of the rich history of the Flinders Ranges. Unlike other aspects of their lives, there is not an opportunity for the participants to opt out.

I was fortunate enough to have heard about this program a couple of years ago and sought to put together my own Prospect chapter. I was very lucky to have the sponsorship and donations from The Lions Club of Prospect Blair Athol, which donated \$7,500. The Rotary Club of Prospect and the Prospect Kiwanis also donated money. There were also 130 people who attended a community quiz night that I organised which showed how much my community values this type of program which really helps youth through difficult times in their life and hopefully provides them with a different alternative than the one that they are on.

We raised \$15,000 to set up a Prospect chapter, and I asked that five students be chosen from Roma Mitchell Secondary College, which is one of my zoned schools and Adelaide High School, the other zoned school, of which I am also on the governing council. Fortunately, the weekend I was there was the weekend that my team was there. Unfortunately, I did not get to meet them because it would have been several hours' drive in a different direction from where we were as the property is around 260 square kilometres.

I did meet up with three different groups of teenagers who were there—I believe there were nine groups at the time—and I hope to catch up with the team that I helped sponsor when they have their reunion in a few weeks when I will get to meet the students. It is such a wonderful program and really positive program that I would encourage other members of parliament to set up their own chapters and help their local community, because I think if we all did, we would be helping a lot of our youth.

From what I have heard of our adult prisons, 70 per cent of the adult prisoners came through the juvenile justice system. We can support groups like Operation Flinders that are endeavouring to give young offenders and children at risk another alternative—a different way of looking at life—and some self-esteem and goals. They will also realise that they cannot quit—they must keep going—and that the team leaders and the groups that are there to support them will not give up on them.

For every group there are usually between eight and 10 teenagers, and there are usually two counsellors from the school or the group that they come from, as well as a team leader and an assistant team leader. So, there are usually four adults with any group.

Groups come from different areas. There are behavioural learning centres that often send along a group. There are school teams, so schools can apply. Families SA also sends groups, as well as the community justice teams and, as I mentioned, there are chapter teams, so different community groups can get together and fundraise the \$15,000 which will allow 10 students to go along.

They are very lucky to have patrons such as Rear Admiral Kevin Scarce, vice patron Sir Eric Neal, Meg Lees and, of course, John Shepherd, who runs the operation and does a lot of work. So, they have some wonderful people involved. I would like to acknowledge the hard work of the Operation Flinders team, the importance of their work and thank all of the people who donated money towards the Prospect chapter. It was a wonderful experience. I am glad to have been there to see it for myself and I would encourage other members to do the same, to go there and see what it is like and to, hopefully, start your own chapter.

#### **WOMEN IN LEADERSHIP**

**The Hon. L.R. BREUER (Giles) (16:20):** I want send my thoughts out to the people of Kenya in their current crisis in Nairobi and that very sad act of terrorism that is happening there. So many innocent lives have been lost. I have spent some time in Kenya and my daughter lived over there for almost a year, working for an organisation called World Youth. There are many programs operating in Kenya through World Youth, and they give invaluable assistance to the country.

My daughter worked there with many other wonderful young women. Young women who had fire in their bellies, with the guts, determination and courage to go to an unknown country to work in isolated areas and to put their safety at risk. These young women have far more spirit than the women in my age group did. Most of us would never have dared to do what I see these young women doing nowadays. I think my generation did very well raising our daughters to give them that sassiness and strength of character to do those sorts of things.

But what can we now offer them? A world awaiting to embrace them with open arms, to use their abilities, a world of business, of community service, of politics and policy making, to make the world a better place? No; in many ways nothing much has changed from our grandmothers' day. What sort of message are we giving these young women and those following on in the next generation when, after the election of the new Liberal government and with a cabinet of 20, only one woman is appointed, after the election of at least 19 Liberal women, as compared with 38 Labor women? The new PM had the nerve to say that he was disappointed there was only one woman in his cabinet. Members of the Liberal Party were falling over themselves to say it was done on merit. What an insult to the women of Australia that is. What absolute rubbish. It has to be more than merit based.

Across the floor from me we have three very capable women. They would run rings around many of the men in their cabinet. You cannot tell me that there are not more very talented women out there who should be sitting alongside them, rather than some of the men who are there. It is all about sexism. It is about the lack of ability to recognise the talents of women. I have seen some incredible Liberal women outside of the parliament with far greater ability and merit than some of those members opposite, and I am not talking about the female members, I am talking about the male members.

Figures show that there is a lack of women on boards and in senior management roles in Australia. Less than one in three members of boards in Australia are female. I am on the board of a quite significant company in South Australia and only two out of the nine members of that board are women. When I mentioned this at the last appointment to the board of a male, I was met with blank stares. The guys just did not get what I was on about.

Australian society still does not get it. I have told my daughter that she can do anything, but I should have said: 'You can do anything if you are a male.' We have had our first woman prime minister and I have never been so appalled at the treatment of a prime minister. It was a disgrace to all of us in Australia. She was constantly attacked by the media, by men, by women, even by our own party. She was tough and she was strong, but I have never seen such disrespect shown to a person of her standing.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. L.R. BREUER:** How she survived it I do not know. She may have made some mistakes at the end, but she never ever had a chance as the PM. Two-thirds of our population do not see this. They do not see the stereotyping that goes on where women are involved. Most people do not realise what they are doing.

I used to tell a story, when I was working at TAFE, of the orchestra in which there were very few women. They were auditioned, but they were never picked. So, they put the women behind the curtain and auditioned them and, immediately, the numbers went up to over 50 per cent of women. This was an exercise that showed that we do not get it.

We do not understand what we are doing; we do it without realising. So, what are we saying to our daughters, to this generation of wonderful young women? We are saying to them: 'We have prepared you well, but we have very little to offer you.' I think it is time that we changed.

### **MARINO CONSERVATION PARK**

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (16:25):** I move:

That this house requests His Excellency the Governor to make a proclamation under section 30(2)(b) of the National Parks and Wildlife Act 1972 to exclude allotment 801 in deposited plan 91248, hundred of Noarlunga, from the Marino Conservation Park.

The purpose of the motion is to excise this parcel from the Marino Conservation Park. Under section 30(4) of the National Parks and Wildlife Act 1972, an alteration to the boundary of the Marino Conservation Park will require a resolution of both houses of parliament and a subsequent proclamation by the Governor.

The Marino Conservation Park, located at Marino Rocks in the southern suburbs of Adelaide, is a popular destination to view the spectacular metropolitan shoreline. The park also provides protection for a number of plants species, including the nationally endangered inland bright eye.

The Noarlunga rail line runs adjacent to the park's western boundary. This rail line is included in the government initiative to electrify the Noarlunga and Seaford rail lines. During the execution of the project, it was identified by the Department of Planning, Transport and Infrastructure that land held by the Minister for Transport and Infrastructure had been fenced inside the park and a small area of the existing Marino Conservation Park infringed on the eight-metre offset required to ensure rail safety standards. To rectify these tenure issues, a new boundary for the park is proposed.

The new boundary will require the excision of 1,059 square metres of land—allotment 801—from the Marino Conservation Park for transfer to the Minister for Transport and

Infrastructure. This transfer of land will legally realign the boundary of the park to be the required distance from the track and electrical infrastructure in order to meet rail safety standards.

As part of the boundary realignment, the Minister for Transport and Infrastructure will transfer allotments 701 and 702—approximately 3,089 square metres of land—to the Minister for Sustainability, Environment and Conservation for addition to Marino Conservation Park. This land is currently fenced within the park and will continue to be managed for conservation as a park. As you are aware, the excision of land from the conservation park requires the resolution of both houses of parliament.

Once allotment 801 has been formally excised from the conservation park by way of proclamation, the parcel will resume tenure as unalienated crown land. The Minister for Sustainability, Environment and Conservation will then dispose of this land, for no consideration, under sections 24 and 25 of the Crown Land Management Act 2009 to the Minister for Transport and Infrastructure. This excision has been supported by the Adelaide & Mount Lofty Ranges NRM Board, the Department of Planning, Transport and Infrastructure, and the Friends of Marino Conservation Park. I commend this motion to the house.

Motion carried.

### FLINDERS RANGES NATIONAL PARK

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (16:29):** I move:

That this house requests his Excellency the Governor to make a proclamation under section 27(3)(b) of the National Parks and Wildlife Act 1972 to exclude sections 52 and 53 in deposited plan 90825, Out of Hundreds (Parachilna), from the Flinders Ranges National Park.

The purpose of this motion is to excise these parcels from the Flinders Ranges National Park. Under section 27(4) of the National Parks and Wildlife Act 1972, an alteration to the boundary of the Flinders Ranges National Park requires a resolution of both houses of parliament and a subsequent proclamation by the Governor.

The Flinders Ranges National Park is located between the townships of Hawker and Blinman, 450 kilometres north of Adelaide. The national park is renowned for its natural and geological significance and is a major part of the South Australian identity. Sections 52 and 53, which are to be excised, are located on the extreme northern boundary of the Flinders Ranges National Park and make up less than 1 per cent of the national park's total area. The sections under discussion are located within the Deadmans Bore region of the Flinders Ranges National Park.

Previous environmental assessments of this area have concluded that the land systems are relatively degraded from a conservation perspective and otherwise well represented elsewhere in the park, therefore will not impact the park's quality if removed.

This parcel, which is approximately 411 hectares in area, is proposed to be abolished from the national park and formally included in the Gum Creek Station pastoral lease. This is a more appropriate tenure for the land. In return for the land to be included in the Gum Creek Station pastoral lease, 423 hectares of land have been surrendered from the station to be proclaimed as an addition to the Flinders Ranges National Park. This land will be managed by the Flinders Ranges National Park Co-management Board under the National Parks and Wildlife Act 1972.

The land to be included in the Flinders Ranges National Park is located adjacent to the Aroona campground. It is a valuable contribution to the national park and contains significant intact biodiversity and landscape values. This excision has been supported by the Flinders Ranges National Park Co-management Board and the Adnyamathanha Traditional Lands Association. I commend this motion to the house.

**Mr VAN HOLST PELLEKAAN (Stuart) (16:31):** I rise to support this motion as well and to point out that, very importantly, as well as being agreed to by all those who have an interest in the Flinders Ranges National Park, including the government and including the local Adnyamathanha people, it is also agreed to by the pastoral lessees at Gum Creek Station and, of course, their involvement and their agreement to this is as equally important as anybody else's. I have spoken with Mr and Mrs Bill and Jane McIntosh from Gum Creek Station. They certainly agree with this land swap. It is a very similar amount of property with regard to the area and, as the Minister for Tourism has pointed out, a sensible swap with regard to land type, and they certainly agree with this swap.

Motion carried.

### **MOTOR VEHICLES (LEARNER'S PERMITS AND PROVISIONAL LICENCES) AMENDMENT BILL**

Adjourned debate on second reading (resumed on motion).

**Mr PEDERICK (Hammond) (16:34):** I continue my remarks from before lunchtime today in regard to this bill. The main part of the debate that I had been talking about previous to the lunch break was the increase in time to be on P-plates. The point I was making was essentially that by the time you have got your learner's, and if you get your learner's as soon as you become 16, you can have a year of that and then you can have two years of P-plates. My comments were that if you cannot drive after three years, God help you if you think it is going to take four years to be able to drive appropriately. I think our opposition to that part of the bill is absolutely spot on, but I will go on to other provisions of the bill.

It will restrict P1 drivers to carrying only one passenger and there will be exemptions made for family members and when a fully-licensed driver is a passenger. Then we get to the other part that we do not agree with on this side of the house, which is about the curfew for P1 drivers from 12am to 5am. We are told that you can have exemptions for employment, training, formal volunteering and formal sports. As the member for Bragg quite accurately said, you will have to drive around in your car with either a glove box or a toolbox in the back full of all the exemption forms, just to be able to go about your daily duties.

The simple fact is that, in country areas, people can travel significant distances to get to work and their sport. Certainly in some of our basketball, netball and football leagues, you can travel well over 100 kilometres in my area, and I know that in the member for Stuart's area they would be a lot further. Hundreds of kilometres are driven on weekends and that is just for the sporting activities; then they have to turn around to get home from their sporting activities.

Certainly in regard to work, it is not unusual for many people in my electorate to have to travel somewhere between 50 and 100 kilometres, and that is something that a lot of people do every day. There are people who work at all hours now. We do not live in an 8 to 5 or a 9 to 5 world; we very much live in a 24-hour world. Certainly throughout my electorate, there are the obvious jobs at some of the eateries. We have KFC and McDonald's and there are plenty of others in the area that employ people who would have this licence category—young members of society—who need to get to work and get home.

Not only that, a lot of night work goes on. A lot of people on dryland farms are working tractors sometimes throughout the night, whether it be at seeding time or harvesters at harvest time. If you get a good night and you get a good run and the moisture is right, you can reap all night. Also, in the same vein, there are many hundreds of people who are involved in the vine industry, getting to work during the vintage. Obviously most of the grapes are picked in the late afternoon and through the night, so there is another example.

Many people who have to operate the grape harvesters, truck drivers, and obviously the people driving the bins that the grapes are picked into in the vineyards—what we in dryland farming call chaser bins—will have to operate all night and these people will be going home and moving up and down the roads during the hours of this proposed curfew. Quite frankly it is just unworkable. It will become a bureaucratic nightmare, and people will have to have a swathe of documents on them so that they do not break the law.

There are also points about bringing forward the hazard perception test from the P1-P2 stage to the learners P1 stage. This will effectively reduce the number of times that people have to attend a Service SA centre and it can certainly get interesting just attending a Service SA centre at times. Another part of the bill provides for the removal of regression to a previous licence stage.

Around motorcyclists, what the bill is aiming for is that learner motorcyclists will be knocked out with the curfew provision. I have already said that we are against the curfew provision in the bill. Previous speakers earlier today have talked about the statistics and they certainly indicate that between 12am and 5am fatalities have dropped off to the point where there are actually zero up to August in 2013, and that is a great result. It is sad to lose anyone on our roads. Further statistics provided by the Department of Planning, Transport and Infrastructure show that more crashes involving P-plate drivers actually occur in the evening, before midnight. The department has

admitted that that bit is impractical, as you would need a truckload of exemption notices at that stage.

In general, in regards to driving and what we need to look at in this state, people talk about road conditions. Sadly, we see again the department looking at bringing down the speed limit on more roads to 100 km/h. Other members have brought up today, as I know the member for Schubert did, the fact that many of us regional members travel a minimum of 60,000 kilometres a year.

I know that in my busiest year in this role I was up well into the 70,000-odd kilometres, and I think that the member for Stuart would drive a lot more than that to get around his electorate. Quite frankly, we are not driving EH Holdens anymore. We are driving very, very good motor vehicles with our work. It is a real privilege to have access to these vehicles, I must say, and we pay our lease arrangements on them.

There are roads throughout my electorate that are reduced to 100 km/h and, quite frankly, it is ridiculous. There are roads just outside of my electorate heading up through to Gawler, through the back of the Palmer, and places like that, up the back of Mount Pleasant, where speed is reduced to 80 kilometres for very, very long sections of road. It will not be very much longer that in this place we will be legislating to have a man with a red flag walking in front of our vehicles.

**Mrs Redmond:** There'll be no road deaths.

**Mr PEDERICK:** Yes; there won't road deaths, but people will be dead from boredom. It is just getting ridiculous. The problem we have in this state is that the state Labor government has not spent the funding on these roads to keep them up to the necessary standards. It is pretty easy for the department to get around and say, 'Oh, these roads don't match 110 km/h anymore; we'll just reduce the speed limit.' Well, it is just madness—just spend some money on the roads.

The member for Schubert talked about the Dukes Highway, and I have talked about the Dukes Highway many times in this place. I have also talked about the absolute madness where \$100 million has been spent on putting a 1.2 metre section in the middle of the road between Tailem Bend most of the way down through towards Coonalpyn and Tintinara. It is just crazy. Yes, there were some more overtaking lanes, and, yes, that makes it better, but that \$100 million would have put in 20 to 30 kilometres of dual lane.

Yes, I will make a point and note my interest. I live at Coomandook, which is about 40 kilometres south-east of Tailem Bend, and it would have benefited me greatly. It is just a waste of money to put in these band-aid solutions, spending \$80 million of federal money and \$20 million of state money on something that is just a band-aid, when over time we will need to duplicate that highway. I am sure other members will bring up many other roads around the place that need work on them.

In regard to road conditions, there are some issues around native vegetation and its removal. I do not want to see blanket clearing of native vegetation, but we have seen some instances where overtaking lanes have been put in terrible positions, on corners, because a few trees would have had to be removed if the lanes were put on the straights. I can name one just south-east of Ki Ki that has claimed many lives, and one life is one life too many.

I believe it is partly because of where the overtaking lane is located: it is right on a bend. People are a bit confused, late at night—it could be any time of the day; they could be a bit dozy in the mid-afternoon—and next thing there is an accident because people do not realise you have a merging lane and they run into the front of a truck, and there is only one way from there.

In regard to things like our mining industry in this state, I hear the mining minister talk long and loud about the benefits of the Cooper Basin. Yes, the Cooper Basin is a great place—I worked there 30 years ago—but the problem is access to it. I wonder how much work we are losing because of the state of the Strzelecki Track. It is an absolute disgrace when you compare it to the road from Queensland. The Queensland side is virtually bitumen all the way to the border near Innamincka, bar about 20 or 30 kilometres. I can imagine how many regional jobs we are losing because service companies like Halliburton and others in the Cooper Basin believe it is rattling their equipment too much to take it down the Strzelecki Track, so they are bringing staff and equipment through from the Queensland side.

I will look at how people have gained their licence over time. My 93-year-old father certainly had some health tests for his driving licence, which are compulsory when you get a bit older, but he has never had a driving test in his life. When he first got his licence he just wrote in, applied for it

and they posted it out. He has had a pretty successful driving career until he decided on his own advice to give up his car and forfeit his licence. Over time things have changed. Back in the late 1970s we only had to get a learner's permit for a little while and then we would go down, do a quick run around the block with the local police officer at Coonalpyn and you would have your driver's licence.

I think that things have improved, in that people do need to do more to make sure they can drive appropriately. However, as I said earlier in my contribution, on the land we learn to drive at a very early age and it becomes almost natural by the time you are 16 and get out on the road. There is more than can be done with respect to driver training. Bob Weir and his group from Murray Bridge came to me and said, 'We've got this great plan.' I have had a look at the site where they want to have a driver training centre in Murray Bridge. I wrote to minister O'Brien to see if I could get some money for a scoping study for this projected driver training centre and, sadly, we were not able to get any funds, but there are certainly good people who have the right idea in advocating for driver training in the area.

In that regard, we have the Tailem Bend Motorsport Park, which is land that the Coorong council currently owns. Thirty years ago it was a drag strip when it first came into being. There are many events held out there. I know there are a lot of sporting motoring events held out there, like drifting and that kind of thing, but there is also a lot of driver training. I know the police do some driver training down there and I know there are groups from Queensland who come down to do driver training, and the Tailem Bend Motorsport Park is to be commended for the facilities that it is supplying.

I know the Tailem Bend Motorsport Park is currently undergoing a sale process through the Coorong council and expressions of interest went in the other day and over the last couple of weeks. I know they will be scrutinised in the next couple of weeks to find out who the successful bidder is to buy that large section of land. They have over 600 hectares there and it will be a great venue if it comes to its full potential, but it will need a massive investment of up to about \$40 million to bring everything into play that could be brought into play at that park.

At the end of the day we do need to make sure that people in the bush especially are not put offside by legislation that is completely unworkable. In the city, in most areas—and not all, I must say—there is access to public transport, but that is not that reliable either, as we have seen recently. In the country, we just do not have that access. We get buses out to Mount Barker, which I think go about once every hour, and that is a great thing, but you do not have to go that much further down the freeway to Murray Bridge and there is no public transport there.

If you go out the south side towards the other end of my electorate, towards Goolwa and Victor Harbor in the member for Finniss's electorate, there is no public transport there. What do these people do if they have a job where they have to run into Adelaide or even travel distances throughout the electorate? They might be running through to Strathalbyn, Goolwa, Victor Harbor, Murray Bridge or Tailem Bend. Certainly, there are other people in my electorate who are out in the potato growing area at Pinnaroo, Parilla, Lameroo and Peebinga—all those areas where people do not work standard hours.

This is something that the government needs to address, and that is why we are opposing the issue of curfews in this bill. I think there are far more sensible things that can be done, and I certainly endorse my previous remarks: if you cannot drive within three years of getting your learner's permit and your Ps, I think there is a real problem; you probably should not be driving at all.

That is not to say that people do not get the appropriate driver training. I appreciate that things have tightened up since a lot of us got our licences many years ago. A licence is a privilege, and it should be treated as such, but we must do the right thing so that we do not completely stall the economy, where we have people basically having to go on unemployment benefits because they cannot get to work; that is what parts of this bill will do.

If we cannot get our young people and our children into work, next they will lose their drive and become a drain on our community forever, and that is the last thing we want. I endorse most parts of this bill and I look forward to the rest of the debate, but I would like the government to certainly take notice of our amendments.

**Mrs REDMOND (Heysen) (16:51):** It is my pleasure to speak for a few moments on the Motor Vehicles (Learner's Permits and Provisional Licences) Amendment Bill. Although I agree with a lot of the comments made by some of my colleagues about the nature of the spend on road and



road maintenance in this state contributing to the situation with our road toll, I will restrict my comments to the objects of the bill, which relate to the licensing, particularly of young people, in this state.

The member for Hammond just reminded me about his father getting his licence at a very young age, and I know that my father (who was born in 1917 and sadly is no longer with us) got his licence at the age of 14, and the police officer who took him for his test—this was in Sydney—did not actually have his licence. So, times have definitely changed.

At the other end of the spectrum, where I have now been through the stage of not only getting my licence but then my children getting their licences, I read in the paper recently that there is an increasing trend towards young people not actually getting their licences. For most of us in this chamber, it was probably part of the rite of passage of coming of age that we did get our licences, and it was considered quite normal. Now, with more youngsters living, working and playing in the city, as my second son does—although he does drive—many people in that circumstance find that they do not need a licence.

I had one young man in my electorate who, as a volunteer with the CFS over a number of years, had attended so many fatalities that even in his 20s he was just not prepared to get his licence because he had had to take so many dead or badly injured young people out of so many wrecks that he decided it was not worthwhile to get his licence, at least at that stage.

In relation to licensing, when I graduated with my licence, there was no such thing as a P-plate (which probably says something about how old I am). We have introduced those special requirements because of a perceived risk either to the young people themselves or to other road users because of the behaviour of young people.

It was certainly the case that there was a very distinct increase in the range and severity of accidents as we had more and more young people with access to high-speed motor vehicles—which we did not all have when we were young people—and managing to get themselves into enormously terrifying situations. They can happen in a blink of an eye, and young people can lose their lives or become maimed or injured, or indeed take the life of a friend or someone they do not know.

There is no doubt that there was plenty of statistical evidence to show that there was a need to do something about these drivers. Members may remember that, before I came into this place, I was on the Road Safety Advisory Council of this state for almost 10 years. The evidence, as I recall it, internationally was to the effect that it did not much matter what age the requirement was for you to get your licence; it was more a matter of the major number of accidents, and that bulk in accidents occurring within the first few years that you had your licence.

So, it did not matter much whether it was in North Dakota where, the last time I was there, which was about 10 years ago, you could get your licence at the age of 14 still, and they had an interstate motor vehicle speed limit on their interstate highways of 75 miles an hour. This is a state that is snow covered for six months of the year, so it is a wonder that any of their young people survive. The evidence was that it was the first few years of having your licence that put you at risk. It did not matter whether you were getting it at 14, 17 or 19; it was the inexperience that was telling.

I am all in favour of us addressing issues where there is evidence-based reason to proceed to make specific requirements upon particular groups of drivers, whether they be young, old, middle-aged or whatever. The problem for me with some of this proposed legislation in this particular bill is that it is not evidence based and the fact is that what we are doing is punishing all young people to actually do what needs to be done in relation to very few young people.

Most of the young people I know, when they get their licences, are extremely conscientious and cautious. The first time any of them goes out to drive once they have their licence and are on the road alone, they are extremely conscientious. My experience is also that often young men, after two or three months, think they then know it all and become less conscientious, but by and large, young people are very conscientious.

They are most concerned to get through their period of provisional licensing without losing their licences, and they are probably better drivers than the average driver on the road because they are so newly aware of all the rules and because they are concentrating on those rules because they do not want to lose any points or lose their licence and do not want to go back to being a P1 or whatever it might be.

It seems to me to be unnecessarily harsh, then, to impose things on that group, who are by and large very good drivers, rather than saying, 'Okay, we won't impose these things unless and until you do something wrong, and if you breach the rules in any way, then we are going to come down on you like a sledgehammer, but why punish all of those who really haven't done anything wrong?' In particular, this idea of having the curfew from midnight until 5am—I have the figures here that we were given about it—there is just a complete lack of evidence as to the need for this.

Over the last few years in this state, in terms of our 16 to 19-year-old drivers, between the hours of midnight and 5am, in 2007 there were eight fatalities, but in 2008 that went down to six, in 2009 to five, in 2010 to four, in 2011 to one, in 2012 there was one, and this year, to August at least, none. There is simply no evidence to show that, at the moment and for the past several years, there is any indication that young drivers (and most of our P-platers are in that 16 to 19 age bracket) are in fact more at risk in that midnight to 5am category. It seems to me that we are punishing all of these young drivers without any evidence to say we are actually doing it for their own good, because at the moment the statistics in this state do not lend themselves to support that argument.

Finally, I want to just draw attention to where I think we should be concentrating a whole lot more—putting aside the argument about the maintenance of our roads and concentrating on licensing—and that is in relation to how our young people get their licences. It seems to me that, in this state, it is still possible for anyone to teach anyone else to drive. If they have a licence, they are allowed to be the person training someone. Apart from the terrifying experience that every parent has if you go out with your unlicensed youngster, the fact is that anyone seems to be able to hold themselves up as a driving instructor. There are some exceptionally good driving instructors, but equally there are some who are not so good.

When I was faced with each of my children coming through in turn, I decided that I would not teach them my bad habits—and I must have some bad habits, I know, even though I have a relatively clean record and have never lost points on my licence, so I think my standard is probably reasonable. I thought, it is sensible not to impose my bad driving habits on my children, so I will pay someone—and I paid a lot of money in each case.

I found that each of the driving instructors—and they were different ones on each occasion—taught my children how to drive at 60 through suburban streets with no hazards. They did not teach them how to get onto a freeway or how to get off it, and to this day I see everyday people who still put their brakes on before they leave the freeway or do not speed up to the speed of the freeway to get onto it.

They did not teach them anything about night driving and how to read the markers on the road as to which direction the bend of the road was likely to go. They did not teach them about how to change down a gear before pulling out to pass a truck or how to drive on a dirt road. I have long complained about the fact that in this state it was lawful—and I do not care what the age is—to get your licence and then in a matter of hours go and put a caravan on the back of a turbo-charged Range Rover (or other powerful car) and hit a dirt road at night, because you have your licence.

Gradually, we have seen a diminution of some of those aspects, but I still say that we need to do more about how people learn to drive. Anecdotally, I would have to say that there is a country/city divide that is very noticeable in this state and that is this: youngsters growing up in the country generally have experience on a paddock basher of some sort and they become very familiar with controlling the movement of a vehicle, but generally they are not very familiar with traffic and all the things that driving in the city brings.

The city kids, on the other hand, have been usually taken in cars to and from everything they have ever attended in their lives, and they are very familiar with the movement of traffic and with traffic lights and turns and all sorts of things like that, but they are not very familiar with how to manoeuvre a vehicle.

I think that we have a responsibility to actually redress that imbalance. We need to make sure that our city kids learn more about controlling vehicles, particularly on dirt roads, of which there are still a lot in this state, and we need to make sure that our country kids get more exposure to actually driving in traffic, so that if they get their licence down at Coomandook, in the member for Hammond's territory, they come into the city confident and knowing how they are going to manage a car in that situation.

I also think we need to look at advanced driver training, and there are two schools of thought about that. For some youngsters it is a very good thing and they do learn more, and maybe

that is how you teach some of the city kids about the manoeuvring of vehicles at large, but there is, however, a risk that someone who goes through advanced driver training, especially a young male, dare I say, may think that they are actually a little bit more competent than they indeed are, simply because they have been through that sort of a course.

So I indicate that I am absolutely opposed to the midnight to 5am curfew. I am very hesitant about the idea of putting in place restrictions such as how many people can be in the car and so on on any driver, no matter what age, unless and until there is some offence that justifies that. I am all in favour of doing whatever we can to use evidence-based approaches to resolving our road safety issues.

As the member for Hammond responded when I interjected, inappropriately, during his contribution, we in fact could reduce our road toll to zero if we simply pulled the speed back sufficiently so that a man with a red flag could walk in front of every vehicle. The state would grind to a halt, but you would reduce your road toll. The reality is we are not going to be doing that. We need to find ways to minimise our road toll and to reduce the risks, but in my view the thing that we are focusing on in this legislation, rather than reducing the risks, is actually using a sledgehammer to crack a walnut and making young people pay a penalty for offences that they have not yet committed.

**Mr PEGLER (Mount Gambier) (17:03):** As a parent who has had one of those awful phone calls at 4.30 in the morning, I certainly support the intentions of this bill. You never forget or get over losing a child in a car accident.

South Australian crash data supports limiting the peer age passenger restrictions and night-time curfews for P1 drivers aged between 16 and 19 years. While 16 to 19 year olds make up 5 per cent of the population in South Australia, they are involved in 12 per cent of road deaths and serious injuries. On top of this, the same cohort in rural South Australia is 2½ times more likely to die or be seriously injured than their peer group in Adelaide.

Under this bill there will be exemptions for drivers carrying their siblings, neighbours' children or children from other families to and from school. There will also be exemptions for drivers if they need to drive for employment, including formal volunteer work, education, training and sporting purposes. The restrictions do not apply if the P1 driver is aged over 25 or if a qualified supervising driver is present in the vehicle.

Many young people in my electorate commence work prior to 5am in the morning, particularly as deckhands, dairy hands, on farms, etc. As a result of this bill, there could be a minimal number of these people who will no longer be able to take more than one other person aged between 16 and 19 years of age to work. We must bear in mind that they will still be able to go to work at those hours (between midnight and 5am) if they are actually going to work.

The bill will bring about a curfew for P1 drivers between midnight and 5am and also restrict P1 drivers from carrying more than one passenger aged between 16 and 19 years of age. The bill also extends the provisional licence period from two years to three years. P1 will be for one year and P2 will be for two years. I did meet with the minister's advisers and I thank them for their advice. One of the questions I have raised with them is the fact that a 17-year-old P1 driver could still drive around prior to midnight with his 17-year-old friend, 16-year-old brother and two other 15 year olds; this could often occur and be a recipe for disaster.

Every time we see serious accidents involving young people there are always calls to increase the driving age to 18, which I have never supported. It would be a great restriction on young people in the country, particularly for them to go to work and sporting events, etc. I feel that I would much prefer to see those people still being able to get their P1 licence when they can now and be restricted, rather than increasing the age. So, they will still be able to go about their activities but there will be some rules in place.

We must always bear in mind that a driver's licence is a privilege, not a right. I support any moves that will save the lives of our young people, but we must be careful not to overrestrict them in going about their legal activities.

**Mr VAN HOLST PELLEKAAN (Stuart) (17:07):** Following on from the member for Mount Gambier, I know that everybody in the opposition respects the experience that he has had in this situation and the amendments that we will move in this house and the comments that we make are no reflection, one way or the other, on his personal situation or the skill or otherwise of his family member.

Let me say that as a person nearly 50 years old, well over 30 years old, I did a lot of stupid things in a car. I did a lot of very stupid things in a car, with and without a licence, on and off the road. So, I do not address this issue in any way as a wowser or in any way as a person who has not fully and seriously considered all of the risks. I was exceptionally fortunate, as a young man, as a boy becoming a young man, to have a very close family friend who taught me how to drive. He started out by putting me on a small old tractor in the middle of the scrub, surrounded by trees. I could not really hurt the trees, I could not really hurt the tractor and I could not really hurt myself.

I graduated from that to refuelling school buses in a yard, off the road, in his family business. It was my job to get behind the wheel of a bus (40-foot buses) and move it (slowly, to begin with) from one place to another, being absolutely and dreadfully afraid that I might damage something, least of all hit the fuel bowser, but over time you get better, you get a bit of practice and you move on. I do not brag about this at all, but I certainly did plenty of silly things with—as members who have already spoken have commented on—probably the bravado that a lot of young men have in assuming they are bullet-proof and not considering all the consequences. I was very lucky. I would like to say I had some skill but, of course, I was exceptionally lucky that I did not ever come to grief.

Most of my work through my adult life has included an enormous amount of driving. Working for BP Australia, starting out as a country rep, you are essentially driving all over the place. Working for myself, being privately employed, for quite a few years I drove between 100,000 and 120,000 kilometres a year, which is an enormous amount of driving in anybody's book, mostly on deserted outback roads and highways: dirt roads such as the Strzelecki Track, the Birdsville Track, the Oodnadatta Track, and on the Stuart Highway.

I can say that, certainly for the last couple of decades, I have never, ever taken driving for granted. I am not one of those people who just say, 'Yes, I can drive. I have been doing it all my life. Everything is fine. I have got through the danger period and now I am an expert.' I get the odd speeding ticket, which does happen, I think, to probably most of us here. I never, ever forget the risks and I never take it for granted.

Until I am home or until I am in Adelaide or until I am actually where I am going, I do my very best to really keep my concentration up because I know that, even today, I could come a gutser somehow, and I am dreadfully fearful of some damage that I might impose upon somebody else. So, that is where I come from when I address this issue. I am not an expert, but I do think I have got something to contribute.

Let me say at the outset that I think one of the things that is important to contribute is that P-plates and young drivers in general, at the moment, are actually under a great deal of scrutiny. I can tell you, from having spoken to people in the city and also constituents, particularly in Port Augusta, that young men and young women are certainly well and truly scrutinised by the police and, very often, pulled over for very questionable reasons. They are often pulled over for good reasons too, but they are very seriously scrutinised by the police. Whether that is a little bit of overexuberance on behalf of the police or whether they have perhaps saved somebody's life by doing that, we will never know.

The bottom line here is that I am sure every single member of this house considers road safety very seriously and particularly road safety as it applies to young people, because not only are the risks higher—we know that they are higher—but, also very importantly, we would all, as essentially middle-aged members here, be more concerned about loss of life to a young person than an older person. Nobody's life is more special, but we consider younger people to be a little bit more precious.

So, this is a very important issue but, as our deputy leader and lead speaker on this issue has articulated very well, some of the aspects of this bill are not actually addressing some of the core issues. As she and many of my colleagues have said, the fatalities of 16 to 19 year olds during that 12am to 5am period have actually been dropping significantly, and that is outstanding. Everybody should take some credit for that. The government should take some credit for that, families should take some credit for that and, probably more than anybody, young drivers should take some credit for that. So, to address that and try to stop them from driving is really just not supported at all by the facts as we understand them.

Just to touch on a couple of other key things, we certainly support bringing forward the hazard perception test to the L-P1 stage—we certainly support that, without any doubt. We have agreed that we are not going to move any amendments to the issues about the number of

passengers in a vehicle. I can understand where that is coming from, but I guess I also have a query. As the member for Mount Gambier quite rightly mentioned, the combination of people who might be legally in the car under these new provisions does not necessarily make it a safer environment.

The idea is that a P1 driver could carry only one passenger except for family members and when a fully licensed driver is a passenger. It may well be an older brother or an older mate or it might be a young female driver's older partner/boyfriend, and they could be sloshed or could be significantly impaired. It does not say, as far as I am aware, that the passengers all have to be stone cold sober and making a positive contribution. The numbers in themselves will not necessarily make the difference, but we have decided as a group not to oppose that suggestion, because I think we do understand the issue that more young people together may create more distractions.

We certainly do oppose the suggested midnight to 5am curfew for a lot of good reasons, and we oppose the proposed increase in time spent on P-plates from two to three years. As the member for Hammond said, it is not actually the time on your Ps that is going to make the difference: it really is about your skill, your ability, your training, your learning and how seriously you take the issue. For me, about the most important part of this puzzle is how seriously the young driver takes their driving and the training that they have done up until becoming a young driver.

I am very supportive of the idea of having driving as a standard high school subject. It is an issue about whether the budget can afford that, and I understand and accept that. It certainly would not be something that was mandatory if people thought that there was a better way to do it. I think this is a topic that needs to be taken as seriously as that; it is one of the things that young people must have as part of their education.

I agree also with one of the comments that the member for Heysen made about the difference between city drivers and country drivers. It is not an age issue. You can see people who have been driving for 10, 20, 30 or 40 years in the country coming down to Adelaide and getting really frazzled by the traffic. I have friends in a range of ages who actually do not like to drive in the city. They do not do it. They say, 'Look, I'll drive to Gepps Cross or somewhere around there. We'll jump out and then we'll swap and I want somebody else to drive.' It is not an age issue: it is an experience issue, and it is about somebody assessing their own ability.

The exact same thing is true in reverse with regard to city drivers going to the country. As members here know, I spent a long time living on the Stuart Highway running RAA agencies at the businesses that we ran and doing the majority of the after-hours call-outs myself from Pimba. In a really remote area the RAA also does the accident pick-up service. It is not part of what the RAA does, but the person who is there, ready to go out and fix broken cars in the middle of the night is also the person who goes and helps pick up cars from accidents.

I can tell you that the vast majority of people who came to grief on the highway late at night were city drivers just falling asleep. It is not necessarily that the city driver is more prone to getting tired than the country driver: it is just about experience. It is just about recognising that you are at that stage. It is about recognising that you are tired and you need to get out.

The member for Kaurana was talking about a banana or a glass of water. The member for Schubert was talking about chocolate and Coca-Cola. It does not really matter. I have got trail mix in the car. I get it and have a walk around. You have got to do whatever you need to do. The reality is that it is about that experience, and that is not an age issue. That is not something that necessarily people are going to improve on by having to be on P-plates for three years instead of two or not being able to drive after hours.

In fact, you could make a pretty good argument to say that if you were driving after-hours responsibly you would start to pick up some of those skills. The skill is, I think, very often about recognising your own capacity—your own capacity to drive at what speed, your own capacity to stay awake and when you cannot, all of those sorts of things. Certainly, this is a very important issue to country people. The member for Hammond talked about distances. Sport, school, church, social events—we do not have the public transport. We do have the significant distances to drive. I recognise and acknowledge that the minister has included an exemption for people who need to travel in the midnight to 5am time for employment and I think that is very sensible but, really, that whole thing should be exempt.

The figures tell us that young people are not dying on the roads any longer in those hours and let us all keep our fingers crossed or pray or do whatever we need to do and hope that that

continues. However, it will not be preventing them that stops it because then, all of a sudden, at whatever time in their life and in their development cycle they are allowed to go out on the road at midnight, it will be the first time they have done it. They are not necessarily going to be any better at it because that was delayed.

It really is about young drivers' attitudes, their training and their maturity. I would hate to set up a situation where people are pressing themselves to rush to get home before midnight because they have a certain category of licence and they have to be off the road at midnight. They are saying, 'Well, what do I do? Do I get caught being on the road after midnight or do I speed home?' It really is just a silly situation.

We all agree in opposition, and I am sure government members and the Independents agree, that road safety is absolutely vital, but these sorts of restrictions—telling people they cannot drive between midnight and 5am or telling people that they cannot enter a nightclub after 3am—are not the sorts of things that actually make people behave better. It has to be a person's ability and their attitude that is actually going to make them behave better.

Telling people that they can drive at 100 instead of 110 when the real problem is the quality of the road is not going to stop accidents. It is actually about the person's ability. Every single good, decent, capable driver can get out there and drive at 110 on certain roads. In fact, I think there is a very good argument to be made that on a very few roads in our state we could actually push up the speed limits.

I say quite openly in this house that I have canvassed this with police officers and with highway patrol police officers who share the same opinion, but as I said, that is on a very few roads. It is not about the speed limit and it is not about the time: it is about the driver. It is about the driver not being the really dumb, young bloke full of bravado and letting that get away from him. It is about the person not showing off to their colleagues. It is about the other people in the car not distracting them and skylarking and carrying on.

It is not about whether or not it is actually midnight or whether or not you have been on your Ps for a certain amount of time. The risks do not go away. Just telling somebody that they cannot engage with the risk does not take the risk away. The risk is still going to be there one day. The fact is still going to be true and I think that getting on and teaching people how to deal with the risks is a far more responsible and far more effective way of going about it.

Those are the reasons why I object particularly to those two suggestions from the government. The extension of the time on Ps would be a very unfair imposition on the people who are doing the right thing to try to capture the people who are doing the wrong thing when those people are probably going to run into grief regardless of whether they are on their Ps for two years or three years and they have their accident during the first year, the second year, the third year or the fifth year when they have not been on Ps for two years. That person is probably still going to run into grief.

It is not about how long they are on the Ps and it is not about whether they are allowed to drive between midnight and 5am. It is about how they and their friends, their family and their peers address the risks. I think addressing the risks and not trying to avoid them and just delay them or put them off is what is really going to help save lives. I support an enormous amount of what the government has in the bill, but I do not support those two aspects because I do not think they are actually going to address the issue that we all want to address.

**Mr BROCK (Frome) (17:24):** I also rise today to support the Motor Vehicles (Learner's Permits and Provisional Licences) Amendment Bill. When this bill was first discussed, I had grave concerns as to the effect the bill would have on our youth in our country regions, and this has been mentioned here by previous speakers from the country. However, I notice there are several exemptions that will allow our youth to attend schools, training facilities, play sport, get to work, and participate in normal stuff. These situations in country regions are completely different to those, who may be affected by this bill, who live in the metropolitan areas of Adelaide. In Adelaide there is ample public transport and close distances for taxi services, but in country areas some of these services do not even exist.

Firstly, I must point out, really importantly, that I am very passionate about doing whatever we can to preserve the precious lives of our youth. Over many years, I have lost many friends in motor vehicle accidents. Those friends were very young at the time, and I was young at the time too—we were only 18. They were also very immature and invincible, because we all think that when we are young we are invincible. I also lost my late wife to a motor vehicle accident. No matter

who is to blame, the consequences are horrific. I do not believe anyone can appreciate the effects that it leaves not only on the immediate family but on whole communities, especially in country regions.

When we are young we think we can do anything and nothing will harm us, but the reality is that it is not what we do but what others do and how they behave. As responsible adults and legislators we need to do whatever we can to ensure that our young people are taught as much as possible to behave responsibly in motor vehicles and on the roads. An area that we previously used to have at secondary schools was driver education. I strongly request that this be part of education teaching in all secondary schools across South Australia. The member for Stuart has questioned the budget impact—you have to worry about that—and I agree with the member; however, we have to look at the fact that, in the long term, a life is worth more than another \$200,000 or \$300,000—

*Mr van Holst Pellekaan interjecting:*

**Mr BROCK:** Yes, I was just going to say that life is worth more than that. Secondly, if you reduce the opportunity for a tragic, long-term, life-ending or lifelong injury, it will save the government of the day many hundreds of thousands of dollars in hospitalisation bills. This is to ensure that our young people know how to drive defensively and to understand road conditions and, importantly, the power of vehicles that are available today.

It has been mentioned previously that Rotary clubs in general, but in particular the Rotary clubs of Port Pirie and Clare, have driver education opportunities at both public and private secondary schools. These are for students who are nearing or have an appropriate driver's licence. This project is called Rider. Road rules are always changing and evolving and refresher courses would be of great benefit to not only young people but also older drivers across the whole state.

The member for Fisher mentioned that some drivers appear to be angry, and I do see them on my many, many kilometres of travel. They may be, but with so much pressure from slower vehicles, caravans, road trains, which may cause long delays and long lines of traffic, it becomes an irritating issue and it does get on some people's nerves. The member for Giles also mentioned grey nomads and, again, I encounter these caravans on many occasions, especially around the Clare area. These people also have a right to travel, and as a safety issue they cannot travel as fast as normal motor vehicles.

Another issue I see during my many kilometres of travel is the fact that some vehicles, due to the colour of those vehicles, seem to get lost by blending into the colour of the road. These vehicles may not be readily visible to the oncoming traffic, and one of the oncoming cars may want to pass a vehicle and not see the vehicle coming towards it; so I think that is a real issue. We have the right to have our cars the colour we like, but I believe that all vehicles travelling on open roads should have their headlights on at all times. One way to improve this is to have headlights come on automatically when the vehicle is started and then turned off automatically when the key is removed from the ignition. It could be a very simple part of the manufacture of vehicles across Australia.

Also, with the wearing seat belts or the non-wearing of seat belts, a vehicle should not be able to be started unless the relevant seat belts have been secured on the driver and any passengers. I have experienced occasions when I have had an item—a briefcase or my folder—sitting on the passenger side and all of a sudden the indicator goes on reminding me that the seatbelt needs to be secured; so there are ways. Seat belts of today are coordinated and can have pressure on them to automatically look for a seatbelt to be engaged. I believe that is a safeguard, to make sure the vehicle cannot be started, the same as alcohol ignition locks.

The member for Schubert mentioned that the roads south of Clare are winding and narrow, and they certainly are. He also talked about the lack of overtaking lanes. I would remind the member for Schubert that, since I have been the member for this region, there have been many overtaking lanes constructed between Clare and Tarlee. I have worked tirelessly, together with my local councils, for improvements, and some of these include: the bypass of the Bungaree Station at Clare, with a new road via Anama Lane; merging lanes at the Kadina-Wallaroo intersection; slip lanes at the Giles corner near Tarlee; the Gladstone roundabout; reconstruction of a portion of the Tarlee to Kapunda road; and many other minor issues. We need to be very positive about this and continue to try to do the best we can.

The proposals in this bill have been forwarded to all of my road safety groups for their consideration and feedback. The feedback so far is that, whilst they are concerned with some of

the restrictions, they understand the value of young lives and the exemptions go a long way to improve what was being publicly discussed prior to the bill being debated in this house. As I said earlier, I had grave concerns about restrictions and youth not being able to get into the community, to school or training, or to work. This bill can be improved and I think we need to be able to discuss that going forward.

There are many roads across the whole state and they have not just overnight got to the condition that they are in today. They have been neglected over many years. I will say this—and I have said it before—both sides of politics in this state need to take their share of responsibility for the lack of attention to roads over many, many years. These roads do not fall apart within five minutes.

The situation is that we have more traffic and larger vehicles, with road trains now being able to travel on many roads and basically coming just about into Adelaide. They can go through a lot of centres that they were not allowed to go through before. I think previously they were not allowed to come south of Port Augusta, then they got up to Lochiel and now they can come basically right into Adelaide. Many of these roads were not really constructed to carry the amount of heavy traffic that is going on at the moment.

Vehicles in my day were far stronger and slower, but they were never as powerful as they are today. The vehicles of today are supercharged. Some of these vehicles are capable of doing in excess of 200 km/h. Why have a domestic vehicle capable of doing these speeds when the speed limit is 110 km/h? I question why we as a country are allowing these vehicles to be sold to the general public, because you are not supposed to go that fast. It is a really weird situation.

The member for Stuart has a great region and he had the pleasure of travelling for BP Australia. Prior to me going back to Port Pirie and working at the smelters, I also had the privilege of being a manager for BP Australia to the northern areas, in the member for Stuart's area, and more. I used to travel to lots of areas up there on the roads, and met lots of oncoming traffic and things like that. We were taught how to react to what was coming towards you, to the road and to the how the weather was affecting it. That is a big issue. As I said, I think the time has come where we need to have some more educational programs back into the secondary schools, and refresher courses going along.

Whilst I have some concerns with the restrictions, such as extra time frames for the various licences and so on, I am very aware of the tragic results that can eventuate from an unfortunate incident. It does not have to be a death. It may be a lifetime injury where there is personal loss and emotional stress. The stress and loss is not only for the family and friends, but any accident has a very strong impact on emergency workers, paid or volunteers, hospital staff and doctors.

Sometimes these people may not be at the front of people's thoughts when issues such as these are discussed, but we need to seriously consider these people, because they will be emotionally affected, and it is worse if they know the person. I have heard some negativity not only in this chamber but across the general public regarding this bill. I am very sure that, between here and the upper house, we will all work together to reduce the opportunity for any incident to happen.

Through the minister, I sincerely thank the departmental staff for the great briefing I had the other day. It was very detailed and I asked lots of questions. They gave me some great presentations. I feel far more relaxed than I was before I had that briefing, and I certainly appreciate it. Those sorts of briefings are very beneficial, especially for an Independent, because we have to get all our own information. Again, I thank the staff very sincerely. I will be looking very closely at any amendments to this bill, but at this stage I am certainly impressed with it, and I am supporting it.

**Dr McFETRIDGE (Morphett) (17:34):** Without any doubt whatsoever, everybody in this place wants to improve road safety, and reduce the deaths and serious injuries on our roads. The member for Frome just said that the economic impact is hundreds of thousands of dollars. In fact, the economic impact of death and serious injury on South Australian roads alone is \$1.3 billion per annum; it is just incredible. If you can reduce that by even 1 per cent, that is a huge amount of money that you can be putting into other areas to improve the lives of South Australians. So we should all be doing whatever we can to reduce the economic impact.

I remember being in estimates on a number of occasions, questioning the then minister for road safety about the causes of crashes. Minister Kenyon, who is currently overseas at the moment, kept insisting that road crashes were all the result of driver inattention or some other cause. We know that it is the case that drivers do contribute to the significant majority of road



crashes, but—and I was trying to find the reference before I came in here—I understand that up to 40 per cent of road crashes are due to the design or lack of maintenance of roads.

We need to be doing something about making sure that our roads are safe. We know the reports of the backlog of road maintenance have been put out by the RAA on a number of occasions, and the government needs to make sure that we are doing all we can to contribute to road safety from that aspect. It is not about changing legislation to restrict the way people drive, and it is not about reducing speed limits; there are a whole range of issues that we need to be looking at.

I remember back in 1972 in Port Augusta (the member for Stuart's electorate), I was sent up there as a very young 20 year old to teach tech studies. The tech studies teachers also had the opportunity to undertake driver education. I am not sure whether we had our own car at the school—I think we used one of the teacher's cars—but for one of the tech studies teachers, his job was driver education. It was not only the theory, but also the practice, and involved taking students out and teaching them how to drive.

That was back in 1972, 1973 and 1974, when I was there. So, what has happened? Why are we not continuing along those lines in our schools by continuing driver education, and making sure that we are doing everything we possibly can to change the attitudes, change the behaviours, and make sure that our young people are recognising the threats and risks that are associated with driving vehicles?

A good friend of mine, Darren Davis—Darren Davis and I are poms, so we cannot make any disparaging remarks about poms and pommy drivers—is a very good driving instructor who has been coming to my office for a number of years now, and we have become good friends. Darren has spent a lot of time researching the behaviour of young drivers, and has imported the first virtual reality driving simulator in Australia. It sits on the dash of the car, and the front wheels of the car go on to two turntables. The computer screen shows varying scenarios for the driver to react to.

I have sat in the car and have been put through a various number of hazards and tests, and it is a good learning experience, even for an experienced driver. We need to make sure that we are doing everything we possibly can, and I congratulate Darren on what he is doing to make sure we keep our young people safe through his driver education.

Darren challenged me to come out with him one day in his car to see if I would still pass a driving test. I failed it even before we had left the curb, because I did not leave my indicator on for five seconds before I actually left the curb. I looked and saw there was nothing coming, but the theory is that you are supposed to leave your indicator on for five seconds before you move out, after checking your mirrors and all those sorts of things.

Having parents teaching their kids to drive, and having friends teaching your kids to drive, is not something I would recommend. My father and brothers sat in the car next to us when I learned to drive in early model VWs and Holdens; we got through it then, but the traffic, speeds, congestion and pressures were not what they are like today. Having a professional driving instructor such as Darren is something that I would recommend to all parents, relatives and friends of people who are learning to drive. Give them some professional instruction, because you cannot go past that professional expertise.

I think we still have the sad status of having the oldest car fleet in the nation in South Australia. Why is that so? We have to do something about making sure that people are able to afford more modern, more up-to-date and safer cars. New cars with airbags, anti-lock brakes, electronic stability control and intelligent cruise control, where if there is a vehicle in front of you slowing down, the car will take the cruise off and start to slow you down—that is all coming in now.

I had some demonstrations over at Victoria Park last year where I had the opportunity to go and look at some of the latest cars that were being shown and tested. There were optical systems that detected objects in front and behind so that if you were in traffic and for some reason not paying attention, the car would stop for you, or if you were backing up and there was a child or an object behind you, the car would brake and stop to make sure that you were able to avoid what could be a very nasty accident.

So, there are things out there that we can do to make sure that the young people we are dealing with particularly in this case are given the opportunity to drive in safer vehicles on safer roads and have the training and expertise to be able to get out there and do what they want to do,

and that is enjoy South Australia and enjoy this fantastic life we have here in South Australia. Our young people are our future and they are the people we really need to be looking to in helping South Australia maintain its presence as the place you want to live.

As part of my shadow portfolios (I have the youth portfolio), I spoke to the Youth Affairs Council of South Australia and Anne Bainbridge, the executive director, about their attitude to this bill. While their response paper is a little out of date—it was first put out in 2011—I think the issues that they have raised in there are still important now. I tried to talk to them today but unfortunately could not get through.

The executive summary of their submission, and it is a lengthy submission of 20 pages, contains a number of dot points. I will just read them through, because they are the salient parts of the Youth Affairs Council of South Australia's attitude to this legislation. I assume that the government has been back since this submission to talk to them about what is going on and to make sure that they are comfortable with this legislation. The executive summary says:

- Despite the over-representation of young people in crash statistics, the vast majority have progressed from their learner's permit through to their full licence without incident, meaning that additional restrictions placed on young drivers have an adverse effect disproportionate to any possible effect on road safety.
- Neurological research suggesting young people are not psychologically developed enough to make competent decisions about their own lives is relatively new, has not yet presented findings that are in any way conclusive, and fails to take into consideration the wider context in which young people make decisions.
- Introducing passenger restrictions will reduce young people's mobility and transport options, while also severely disadvantaging young people who have primary responsibility for transporting their extended family members, especially those from a CALD background—

That is a culturally and linguistically diverse background. YACSA at that stage opposed this initiative, and I think they still do. YACSA also says:

- Instead of restricting passengers, there should be greater education for young drivers about the inadvisability of risk-taking on the road, and greater encouragement for passengers to play a role in decreasing young drivers' risk-taking behaviours.
- The implementation of a night-time driving restriction represents not only an unacceptable limitation on young people's freedom, particularly in rural and regional areas, but also an inefficient method of controlling behaviour, and one which may be difficult to enforce. YACSA opposes this initiative.
- Raising the minimum age for a provisional licence will have a significant negative impact on young people who are employed or seeking employment, particularly apprentices or young people seeking apprenticeships. The proposed exemptions do not provide an efficient or effective way of overcoming this negative impact.

YACSA opposed that initiative, and I understand that their opposition was listened to. The next point that YACSA makes is:

- Because parents are the group with the largest influence on young people's driving behaviour, new approaches are required to the way parent-supervised driving is carried out, including specialised training for parents, and possibly subsidies for young people to access qualified driving instructors.

That further reinforces what I said about having a professional driving instructor sitting in there with these young adults who are learning to drive so that they recognise the threats that are out there and the risks associated with those threats and they are able to then cope with the situations they are faced with. The final point that YACSA makes is:

- The initiative to extend the total minimum provisional licence period from two to three years is not intended to target people over the age of 25, and is therefore age discrimination. Even if this were not the case, YACSA opposes this initiative on the grounds that mandating a minimum licence period of three years is simply legislating for novice drivers to do what they already do in the majority of cases in South Australia.

YACSA has pointed out some extremely important issues for young people in South Australia. I hope the government has listened to them. The opposition is certainly listening to people in South Australia. So, while we support the intent of this legislation there are some areas where we are opposed to what the government wants to introduce. I think the government should, in this case, be listening to common sense, and that is from people out there who have many years of driving experience, teaching experience and who are in contact with the people we are trying to target; that is, the young people of South Australia.

**Mr TRELOAR (Flinders) (17:45):** I will make a brief contribution to this bill. I know we want to have a division on it before 6 o'clock, so we will try to achieve that. It is a good opportunity

and many members on this side of the house have made a contribution because very few things are as important to a country person as his or her driver's licence, and this particular bill deals with how those licences are gained. I understand it is to do with the graduation of the licensing scheme and consultation for these reforms has occurred over the last couple of years, with the final report published this time last year. So, it has taken 12 months for us to get to this point.

Essentially, the bill provides for an increase in the time that young people must remain on their P-plates and it increases from the current two years to three years. The bill also restricts, or proposes to restrict, P1 drivers to only carrying one passenger, with exemptions for family members and when a fully licensed driver is a passenger. A curfew for P1 drivers from 12am to 5am in the morning, and much has been said about that already. As an opposition, we are set to oppose that particular proposition. It also aims to bring forward the hazard perception test from the P1/P2 stage to the learner/P1 stage.

There are probably not many people in this place who have undertaken a hazard perception test, but I have four teenagers at the moment and I know all about hazard perception tests—nearly there: the first one is about to turn 20, so that will be a relief. Three of them have undertaken the learner/P1/P2 process. Number four will go through that process under new arrangements, I am sure, and believe me, those kids, such as our Max, who is 15 years of age, are watching these developments very closely.

The bill also proposes to remove the regression to a previous licence stage and a learner motorcyclist will be captured by the curfew provisions. So, much discussion has taken place. I would suggest that, for the most part, this bill is very well intended. As has been pointed out, nobody can ever argue against the importance of road safety, and I appreciate that a couple of members of this house who have made a contribution to this debate have been touched very closely by sadness that has been brought about by a road accident. One cannot imagine the feelings and sadness that brings about.

The reality is that, as with most Labor Party government bills, there are some significant unintended consequences, I suspect consequences that are not even considered at the time of the drafting of the bill. This particularly relates to those young people who are living in the country and are going to be significantly impacted by changes to the licensing arrangements. Our intention, as an opposition, is to oppose the increase in time spent on P-plates from two years to three years.

A point that has not been raised in the discussion so far is one that I am well aware of because, as I said, I have four teenagers and they have friends. They highlight to me that, under a P-plate licence, they have just four demerit points available to them. This is significant in the sense that, should they inadvertently incur a breach, most of those breaches have a penalty of three demerit points, which leaves them with just one. The problem then arises that, should they, once again, inadvertently breach the road traffic regulations, they are quite likely to lose their licence after just two offences and are back to square one.

This has severe impacts. I know there are some in this place who have not incurred any demerit points, but many of us have and we do not mind admitting that. It is a potentially significant impact on a P-plate driver who, all of a sudden, will be not 17, not 18 but 19 and still carrying a P-plate licence.

We will be supporting the passenger restrictions for P1 drivers with exemptions for all the reasons that have been outlined thus far. The risk involved with young drivers carrying a car full of people of similar age has been highlighted many times and I think the statistics would speak for themselves on that.

We also support bringing forward the hazard perception test to the learner P1 stage, but we are opposing the 12am to 5am curfew for many of the reasons that have already been highlighted. There are exemptions available for this, but the reality is that very few of the accidents and incursions actually occur during those hours of the day. There are those who need to drive, particularly for employment and sometimes for other reasons as well, and they will be impacted upon.

I would like to relate a delightful story to the house, which I think reflects back on the capability of our young people. We sometimes forget how very capable our young people are and how skilled they are. There was a year 11 boarder at one of the city schools here, who was a station boy who lived in the far north-east of the state. He had his L-plates. He could not drive a car of his own accord. What he used to do on an exeat weekend and on holidays was catch a taxi out

to Parafield and fly his Cessna home. This young man was not allowed to drive a car, but he could fly himself home, which is extraordinary.

I think we need, just from time to time, to reflect on the capabilities that our young people have. That comes about through experience, and the member for Stuart spoke about experience and the importance of gaining experience. You do not gain experience by putting off what you have to do.

**Ms Chapman:** Like getting married.

**Mr TRELOAR:** Like getting married. We won't go there, member for Bragg. It may be a contribution for another debate—I don't know. Eventually, you have to let these kids drive. Particularly in the country, a driver's licence gives independence. It gives independence to the young person and it also gives independence to the parents who are otherwise responsible for taking them here, there and everywhere over great distances. It also provides all important social opportunities for country kids.

It gives educational opportunities and, of course, as has been mentioned many times, it gives them the opportunity to gain employment because, invariably, young country people have to travel to gain employment and to fulfil their employment obligations, and public transport is simply not available. So, there we go. We need a driver's licence.

Road funding has been talked about. Speed limits have been talked about. I understand there was a big story on the front page of my local paper again today about the proposition that the open road speed limit, the highway speed limit, in South Australia may be reduced from 110 to 100. I think this would be a retrograde step. Mark my words, there will be much opposition to that sort of move from this side of the house.

The member for Hammond mentioned how good the vehicles are these days—that is the truth of it. The cars are so much better. They are so much better equipped and technologically advanced than what we ever had. Driver training has been talked about. My kids learned to drive on the farm; I learned to drive on the farm—many of us have. In fact, during one week of shearing a few years ago, I undertook some negotiations with one of our shearers and, at the end of the week, I gave him a box of beer and he gave me a car and no GST was declared on that.

**Ms Chapman:** Good trade.

**Mr TRELOAR:** It was a good trade because it was a Subaru. My kids learned to drive in it and gained good skills, such as how to control a car in a number of situations, sometimes at speed. It was front-wheel drive, of course, being a Subaru and they understood very quickly that to do a good wheelie you had to do it in reverse. I did not mind that. I did not mind that because the kids were learning to handle a car and they were learning to do it before they got to 16 and before they got on the road. I think that is something we should consider very seriously in our driver education programs—giving children and students the opportunity to learn to drive before they actually get on the road. I think that is something we seriously should consider.

The member for Hammond mentioned checking rabbit traps in the car. In fact, we did the same thing and my brothers and I usually would take the farm ute which was an HR with seatbelts. It was one of the first models ever to come out with seatbelts. It was not compulsory to wear them, but they had them. Often they gathered dust, but we would drive the HR. One particular day we were allowed to take the VC Valiant down to check the traps.

**The Hon. M.F. O'Brien:** A good car.

**Mr TRELOAR:** They were a good car—225 hemi motor; beautiful.

*Mr Pederick interjecting:*

**Mr TRELOAR:** They always failed when you needed them. We were allowed to take the car down to check the traps. In the old days, of course, we would have walked or cycled, but given that we had reached the new age we were allowed to drive. My younger brother was so excited because he thought he had seen a rabbit that he jumped out early from the back and very nearly came to grief with me driving. It was all a lot of fun and we learnt to drive very much in a safe environment.

One of the things that I have—and I am not saying by any means that I would ever be legitimately called a good driving instructor—really tried to impress on all of my teenage children as they have learnt to drive is how to react should they be confronted with a situation. One of the

members previously has mentioned that we learn how to drive on a good sealed road or we learn to drive in the city at 60 kilometres down a street with very little in the way of other traffic or roundabouts, so we do not have a lot of experience in those initial stages.

One of the real dangers on country roads, I believe, is drifting off the edge or dropping off the shoulder and getting into the gravel verge of the road. The instinct is to very quickly bring the car back onto the road and that often can be fatal, because, in fact, what happens is the car is jerked back onto the road, the tyres grip and all of a sudden, quick as you can say Jack Robinson, you are over the other side of the road and you roll the car. You are on the other side of the road, you have rolled over, you are in the scrub and you are in serious trouble or a lot worse. One of the things I have really tried to impress on my kids is bringing the car back onto the road very carefully.

**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) (17:58):** I have only got a couple of minutes, but I will commence. I would like to thank all members who contributed to the bill. I would also like to acknowledge the work that has been done by the agency in providing the briefings, particularly to members of the opposition.

I have to say I am probably a little disappointed in that we went to great lengths to ensure that all the statistics were provided and we are now in a situation where the opposition is basically flying in the face of the evidence and the logic in relation to the curfew and also the extension by one year of the period in which we would like our young drivers to be on a provisional licence.

The opposition and the deputy leader have indicated that they are not supportive of those two elements of the bill as I said, firstly, the proposed night-time driving restriction for P1 drivers from midnight to 5am. The member for Bragg and other opposition speakers suggested that the government has not taken into account the evidence and the crash analysis when proposing this restriction. They have indicated that they believe that 12am to 5am is not the time when the highest numbers occur.

*[Sitting suspended from 18:00 to 19:30]*

**The Hon. M.F. O'BRIEN:** I believe the point at which I had arrived, upon rising for dinner, was after the observation I made that the member for Bragg and other opposition speakers were suggesting that the government had not taken into account the evidence and the crash analysis when proposing this particular restriction, which is the restriction relating to the proposed night driving restrictions for P1 drivers between midnight and 5am.

The opposition has indicated that it believes that 12am to 5am is not the time when the highest number of crashes involving young drivers occurs. The statistics and crash data that my department and I have provided to members of parliament, when briefing them on the bill, show that young P1 drivers and riders aged 16 to 24 have the highest percentage of crashes between the hours of 3pm to 7pm. This is also the time when full licence holders have the most crashes, and I imagine that fatigue is a major factor, as people have finished a full working day and are generally on their way home between the hours of 3pm and 7pm.

However, the reason the night driving restrictions are being proposed in the bill is that P1 drivers are over-represented in fatal crashes for every hour between 9pm through to 6am, compared with full licence holders. South Australian crash analysis for the period 2008-12 shows that 20 per cent of 16 to 24-year-old P1 drivers/riders involved in fatal crashes crashed between the hours of midnight and 5am. By comparison, 9 per cent of full licence drivers/riders involved in fatal crashes crashed during that period of time—so, 20 per cent of 16 to 24, as opposed to 9 per cent of full licensed drivers. That is a very simple mathematical division; it is double the number. We have very much relied on an evidence base in arriving at these conclusions.

There is the real possibility that these restrictions could also impact crashes sometime before and after the restriction hours, as young drivers may not commence a journey that means they may be travelling home during the restriction hours, so we have a good sense that we will probably be able to add an hour either side because young drivers will just be prudent and not want to be caught on the road during the curfew hours.

The crash data for P1 drivers suggests that there is a case to introduce the restriction from 9pm to 6am; however, the government realises that this would have a greater impact on mobility and is not in line with other jurisdictions. An analysis undertaken by DPTI of fatal, serious injury and

minor injury crashes for the period 2008-12 involving P1 licence drivers aged under 25 who were driving between 12am and 5am shows that the night driving restriction had the potential, over a five-year period (this is the period 2008-12) to prevent 12 fatalities, which is an average of two per year; 100 serious injuries, which is an average of 20 per year; and 337 minor injuries, an average of 67 per year.

My recollection, and my strong recollection, is that after briefing the deputy opposition leader we received a request to do some analysis to give a clear indication as to what the impact of the proposals we intended to bring forth with this bill would do in real terms. The figures I provided the house tonight were provided to the opposition at their request, and they show that our proposal for a curfew would save two lives per year, reduce by 20 the number of serious injuries (that is, people going into casualty and being laid up in hospital for weeks if not months) and, on average, 67 minor injuries per year. So, the impact is significant. We have done the data analysis, we have provided it to the opposition, and I have to say that I am more than a little disappointed that the opposition is not being supportive on this particular proposal.

I learnt to drive in Whyalla. I did all the early fundamental stuff on the salt pans outside Whyalla. I socialised in a regional environment; I went to dances in Port Augusta. I am aware of the restrictions of growing up in a regional centre that do not exist in the metropolitan area. As a parent, I believe that the saving of two lives per year and the keeping of at least 20 young people out of a casualty ward are sufficient to propel me to the conclusion that this is good policy.

The member for Bragg has talked about the restrictions being an inconvenience to young drivers and their families. I believe that a bigger and a longer-lasting impact on family life would be the losing of the life of a young family member or seeing them live with a permanent serious injury. It should be remembered that the proposed night driving restriction is for only one year, on a P1 licence, when the driver is at their most vulnerable and inexperienced. It does not apply to P2 drivers.

These restrictions are there to protect young drivers who are driving solo and who are not experienced. It is about providing protection and not punishment, and I think that has been lost in the debate to date, and I think that it bears emphasis and reiteration: we are not penalising the vast bulk of young drivers in the South Australian community because of the irresponsible actions of a small group. We are dealing with the fact that we are trying to protect young people who have just come off their learner's, who have just moved out of an environment where generally mum or dad or a driving instructor was sitting alongside them, a second pair of eyes alerting them to merging traffic and all the other things that one has to contend with when driving.

The second set of eyes, the mature advice, is removed on the transition from the L-plates to the P1. It is a period of significant vulnerability, it is a period when we should be protecting our young people. We are not seeking to penalise young people. We are seeking to address the fact that they do not have the experience and, in a large number of cases, they do not have the maturity. We want to lead them through those first three years of driving, as they progress from a learner to a more mature and experienced driver.

We believe that it is important that we introduce the curfew, because we know that night driving is a lot more difficult than day driving and that it is a period of great vulnerability for young and inexperienced drivers. I do appreciate that a restriction will have an effect on the mobility of young drivers, particularly in rural communities, and I have mentioned the fact that I learnt to drive in Whyalla. However, young drivers aged 16 to 24 who live in rural and regional areas are dying and being seriously injured on our roads at a much greater rate than young drivers who live in the city.

In fact, they are 2½ times more likely to die or to be seriously injured in a crash. My heart goes out when I hear of instances of a car full of young people in a rural community experiencing a serious crash in which a large number of those young people are killed. I believe that the impact on a rural community, not only on the parents and relatives, but the rural community, is probably a lot more profound than it is in the metropolitan area.

These are, in a large number of cases, young males who play sports, particularly football and, to a lesser extent, cricket. It has an impact, I believe, very similar to the impact of the First World War, where rural communities effectively lost a generation. They were unable to constitute football teams from the period of probably 1918, the conclusion of the First World War, into the mid-1920s. When I see a major crash in which three or four young fellows are killed, all from a football team, it reminds me of the consequences of the First World War. It rips the heart out of a

rural community and has an impact far more profound than in the metropolitan area. That is why we are very, very keen to get this particular proposition in place.

Young people will still be able to drive between midnight and 5am for work, including formal volunteer work, education and training purposes, and to attend sport training or matches. While I recognise that this restriction may be viewed as particularly burdensome on country-based drivers, due to the lack of public transport options available, in the light of the significant number of fatal crashes that occur on country roads this government believes the road safety implications associated with this amendment far outweigh any impositions that this additional requirement will create.

The bill also is proposing a night-time restriction for 12 months on a P1 licence because young drivers are more likely to crash in the first year of unsupervised driving. While the crash rate starts to come down around six months, it is still elevated at the time. The deputy opposition leader did make reference to Western Australia. My reading of her comments was that she was not really suggesting that we follow the Western Australian model; she was just making reference to the fact that this was the situation in Western Australia. We have ruled out going down the six-month route because we believe it is impractical, on the basis that there is no real evidence to support restricting it just to six months as opposed to 12.

SAPOL are of the view that it is an impractical proposition in that they would be pulling over people during the curfew hours only to discover they were in the second six months of their P1 as opposed to the first. I do not believe that the opposition deputy leader was seriously recommending that we look at that as an alternative to the position of just blanket opposition, but we have looked at the West Australian model and we believe it is impractical and does not address the issue of the inexperience existing for longer than the first six months.

On the issue of the shortest practicable route, it is included in the bill to prevent unnecessary trips and travel by young people during the night hour restrictions. We are clearly allowing young drivers who need to travel for employment, sports, education, volunteering or emergency services work to travel at night between midnight and 5am to be able to continue to do this.

From my own experience in Whyalla, I was delivering newspapers around the steelworks and the shipyards at 4 o'clock in the morning. Young people do do things over those hours. They are gainfully employed either in family businesses or working for others, and we believe that we have pretty well covered off on that, but we want to prevent any potential abuse of the flexibility that we are allowing by insisting that people actually do take the shortest practicable route and do not use the exemption that is granted to sort the system.

The exemption system has been developed so that a driver will need to provide evidence for the reasons for the trip and it falls into the exemption grounds. This exemption model allows flexibility in an exemption system for changes in a driver's employment, for example if they change jobs at short notice. The exemption grounds for employment also allow for a driver to drive during those hours in the course of employment. There is deliberately no requirement for a particular type of evidence to be presented in order to not limit the individual circumstances under each exemption ground. It will be up to drivers to prove that they are driving within the exemption grounds. This is not red tape; this is not yet another overlay of bureaucratic inflexibility. We want to make this work and we want to make it as simple as possible.

P1 drivers could carry evidence such as a letter from their employer. A non-mandatory form will also be available on the mylicence website. Drivers who carry the signed form or a letter from their employer should be able to satisfy police investigations and avoid committing an offence. I would say that in country and regional areas you would have a number of police in country towns to whom virtually all young people are known, and their employment, training and sporting activities would be known to SAPOL officers. I do not believe that in regional and rural communities there would be any harassing, and we believe that the very simple form of evidence that we are requesting would overcome any situations that may arise.

Police at the roadside will take into account whether a P1 driver has a good reason to take a particular route such as avoiding roadworks or roads under construction. There is no requirement on a driver to provide a particular document that outlines the shortest practicable route. There may be many reasons such as those outlined by the member for Bragg that require a young driver to take an alternative route. The reason the wording is included in the bill is to stop trips such as a

young person who may be starting work at 3am, driving to see mates or to a party or some other social event prior to starting employment.

The exemption grounds are for the purposes of getting to and from places of employment, for sporting activities, training and education, volunteering or emergency services work. As the member for Fisher quite rightly said, if you have too many exemptions the restrictions would be farcical. The member for Bragg is also right that the enhancements that the government made to the Graduated Licensing Scheme in 2010 were needed and were also based on evidence at the time.

The government plans on evaluating these changes. However, at this point in time there is insufficient crash data available, as a minimum of five years of data is required for evaluation. I think we have made a series of changes to this particular piece of legislation—in 2005, 2006, 2009, 2010—and the opposition, in relation to the night curfew, has observed that the fatality and serious injury rate has been dropping year on year.

I believe, in the absence of us being able to do the longitudinal study over the five years, that we are starting to see the evidence of the previous changes that we have made, and it is my hope and belief that the changes that we are discussing tonight will further drive down the number of fatalities, serious injuries and injuries on our roads.

A large number of members speaking on the bill made reference to driver training. I am advised that there is considerable debate about the value of training or education for car drivers as a means of improving driver behaviour and reducing road crash involvement. Research indicates that some form of training has been effective for procedural skills acquisition, and other programs have been found to improve drivers' hazard perception.

Conversely, numerous studies conducted in Australia, New Zealand, North America, Europe and Scandinavia over the last 35 years have found that driver training courses that attempt to impart advanced skills, such as skid control, to learner drivers may actually contribute to increased crash risk, particularly among young males. There is this sense of overconfidence. Evidence also indicates that an enhanced GLS is likely to make a greater and more lasting contribution to young driver safety than expanding driver training programs.

That is really what this bill is all about. It is an acknowledgement that, over the first five years of a young driver's driving life, on moving from L to P, there is a peak really within a matter of days of them graduating from the L to the P, and then over a five-year period there is a significant drop in the crash rate of young drivers. Around year five it starts to plateau out and sits around that flatline planing probably for the next 40 years of their driving life.

We know that for the first five years they are the most vulnerable, because they are inexperienced, but after five years we arrive at this plateau, where most of us sit then for the next 40-odd years of our driving life. We believe that what we are talking about, which is more experience in a controlled, nurturing environment, which is the intent of the legislation, is more effective than trying to substitute on-road experience in a more controlled environment with greater driver education.

The member for Fisher will also be interested to know that, currently, drivers aged 16 to 25 who have had their learner's permit or provisional driver's licence disqualified are required by law to attend a 'ur choice' workshop. At the workshop, the reasons young drivers are involved in crashes are discussed, as well as explaining how road crashes affect individuals, families and friends, and they have the opportunity to think about strategies that would make for a safer driver. So, we are actually targeting with education programs those individuals who need them most. However, again, experience is the true teacher, and experience on the road cannot be substituted by way of classroom education.

In relation to extending the provisional licence period, this will extend the duration of protective conditions, such as the zero blood alcohol limit; the 100 km/h speed limit and vehicle power restrictions, which prevent young drivers from driving V8s in particular; and lower demerit points. In extending the P period for P2s from one year to two years, I think some members may be under some kind of misapprehension that there are a whole range of restrictions that are going to kick into place that are identical to those that apply to P1s.

We are not talking about the curfew: we are talking about the very simple and sensible restrictions in terms of not allowing them to drink alcohol, not exceeding a 100 km/h limit, keeping them out of high-powered vehicles, and also not allowing them to use electronic devices—mobile



phones—with a total prohibition on the use of a phone, even with Bluetooth, because we know that what we are dealing with in those first vulnerable three years is the terrible impact of any form of distraction.

The minimum provisional licence period is three years in New South Wales, Queensland, Tasmania and the Australian Capital Territory, and actually four years in Victoria. So, we are not actually breaking new ground here: we are playing catch-up. I found the comments from various members of the opposition, with respect to the debate that occurred in their party room, quite illuminating in that we had protestations that their position was evidence based.

All that I could pick up on in relation to the move from two to three years was the observation that, if they had not got their act together and they could not drive well after two years, well, what difference would one additional year make? That to me does not sound like a position founded on science, it does not sound to me like a position that is based on science or logical reasoning; not a position that is based on the data or the evidence.

I have asked Hansard whether I could incorporate into *Hansard* a chart, but I have been told that I cannot. I hope that in the Legislative Council I might be able to provide the underlying data table on which this particular graph is based. If you look at the graph, it is perfectly apparent that in years two to three we are still seeing a significant improvement in driver behaviour occurring. In fact, it is not until year five that we actually get the plateauing effect.

I think in this instance the Victorians have actually got it right and that another year would actually do the trick. Given the reluctance of the opposition to get serious about this issue, which does surprise me, given the fact that young country drivers are two and a half times more prone to serious injury and fatality, to get that particular proposition in place would be well-nigh impossible. We are now finding that it is well nigh impossible to get the additional year, even though it is in place in virtually every other state in Australia.

The data, the evidence, is irrefutable. They try to knock this proposition on the head on the basis that somebody got up in the opposition party room and said, 'Well, if they can't drive after two years, another year on their Ps is not going to make any difference whatsoever.' We have in front of us, and have supplied to the opposition, the statistical evidence that indicates that a significant improvement can and should occur in years two to three.

All the jurisdictions that have a three or four-year P licence period have a much better safety record than does South Australia. For example, Victoria has a fatality rate for 16 to 19-year-olds per 100,000 population of 9.7 compared with South Australia having a rate of 16. New South Wales, Queensland, ACT and Tasmania all have better rates than South Australia, and all have a three-year provisional period.

Extending the total minimum provisional licence period from two to three years will change the minimum age at which novice drivers can graduate to a full licence to 20 years of age. There will be no change to the age at which a learner's permit can be obtained, which is 16 years. There will also be no change to the age at which a provisional licence can be obtained, which is 17 years.

It is not correct to say that by extending the time on a provisional licence from two to three years will delay the ability to apply for a heavy vehicle licence. To obtain a light rigid or medium rigid class licence, the applicant must have held a class C licence for at least one year—this includes a P1 or P2 class C licence—and be at least 18 years of age. An 18 year old who has held a P licence for at least a year is able to now, and will, under these proposed changes, be able to apply for a heavy vehicle licence.

The main point to make is that by extending the time from two to three years, it will not mean that young P drivers are subject to the night and passenger restrictions for three years. The restrictions are proposed to only apply to a P1 driver for 12 months. The extension of the P period for three years will mean one year on a P1 and two years on a P2. As I said, those on a P2 do not even have to display a plate. If you are in Victoria and are on a P2, you have to exhibit a plate. My understanding is that the P1 in Victoria is a red P and the P2 is green.

We made a decision some time back that, to acknowledge good driver behaviour when an individual graduated from a P1 to a P2, we would not oblige them to have to exhibit the P-plate. So, they do not have to exhibit the P-plate; all they have to do is not drink and drive (not have any trace of alcohol in their system), keep their driving to under 100 km/h on 110, and not to be so foolhardy as to hop into a highly-powered V8 motor vehicle for which they are more than inadequately equipped by way of experience and maturity to handle. We do not believe that extending by a year

is a major imposition. The change will also have absolutely no impact on employment or access to any other activities that young P2 drivers currently have.

In conclusion, road safety is a priority for this government, and I believe for the opposition—although I believe that in this instance their objections on the two points we have been discussing are ill-founded, not based on any evidence and, from what I gather, based on some fairly lackadaisical, slap-dash discussion and debate in their party room. I think we in this chamber all believe that road safety is highly important to the South Australian community, particularly to families with young people, and the government is particularly of the view that we would like to see this legislation pass through both of the houses by year's end so that we can implement these initiatives and have them in place by mid to late 2014.

Bill read a second time.

In committee.

Clauses 1 to 6 passed.

Clause 7.

**Ms CHAPMAN:** This clause sets out the prescription for learner's permit obligations and responsibilities. It is proposed that there be an insertion after subsection (19) which prohibits a motorcycle rider in certain circumstances being able to drive a motorbike on a road between midnight and 5am. Whilst it is referred to here, the general curfew obligations are set out in the provisions that are proposed in clause 11, being a new section 81A for provisional licence holders, and that this section does capture motorcyclists.

I indicate that, whilst this is part of the curfew obligation to which we have objection, we will not be voting against this clause. I indicate to the house the fact that it may have some consequential provision in other paragraphs of the bill. I will be simply placing our position on the record under clause 11.

Clause passed.

Clauses 8 to 10 passed.

Clause 11.

**Ms CHAPMAN:** This is a provision for the substitution of section 81A of the principal act and sets out the new regime to apply to provisional licences. Obviously, there is an expansion of definitions, and in particular I refer to the conditions in subparagraph (iv), which I think are the same, which really are the provisions well known to members for not having any prescribed concentration of alcohol in his or her bloodstream when they are driving. Actually, it is not just bloodstream, it is in his or her oral fluid or blood, and also the 10 kilometre rule, which provides that provisional licence holders cannot drive more than 10 kilometres over the speed limit for that area that applies under the Road Traffic Act.

A breach of both of these attracts a penalty and in some cases disqualification and the sacrifice of having to go back to the beginning of their provisional period again. To the best of my assessment, that does not change. What does change is when we go to subsection (5) it proposes to introduce the regime for the expansion of provisional licences from two years to three years by requiring the Registrar of Motor Vehicles not to issue a non-provisional licence, which is what the rest of us have, unless the applicant is of the age of 20 years or over at the commencement of the term of the licence. The addition of the provisions under this clause are what will impose the new three year provisional licence total period.

Subsections (16) and (17) principally set out the curfew for P1 licence holders who are under the age of 25 years not being able to operate a motor vehicle or drive a motor vehicle between midnight and 5am. They are the principal areas. Again, with the qualification that there may be other consequential provisions in the bill relating to the curfew amongst other obligations, they seem to be the principal areas that impose the significant penalties for breach.

I did not mention this in the second reading speech, but for the record it is some \$1,250 for a breach. It makes the fee for a licence pale into insignificance. I might have to amend my previous statement because the penalty here for being caught in a vehicle without the exemptions, or not going on the direct route, is \$1,250. The whole thing just becomes so absurd.

**Dr McFetridge:** How much?

**Ms CHAPMAN:** It is \$1,250. In any event, I digress. These two areas we think are unnecessary for the reasons that have been previously outlined in the second reading contribution, and accordingly we will be opposing this replacement with the new section 81A.

**The Hon. M.F. O'BRIEN:** I think I have detailed our position in respect of believing that the curfew and the extension of the P2 for an additional year are central to the reforms that are contained within the bill. That is our position. Regarding section 4, I think the deputy leader probably wanted a guarantee, if you like, that things were unchanged, and the advice I have been given is that they are unchanged.

The committee divided on the clause:

AYES (21)

Atkinson, M.J.	Bedford, F.E.	Bignell, L.W.K.
Breuer, L.R.	Brock, G.G.	Close, S.E.
Conlon, P.F.	Fox, C.C.	Geraghty, R.K.
Hill, J.D.	Key, S.W.	Koutsantonis, A.
O'Brien, M.F. (teller)	Odenwalder, L.K.	Pegler, D.W.
Piccolo, A.	Rau, J.R.	Sibbons, A.J.
Snelling, J.J.	Thompson, M.G.	Vlahos, L.A.

NOES (12)

Chapman, V.A. (teller)	Gardner, J.A.W.	Marshall, S.S.
McFetridge, D.	Pederick, A.S.	Pengilly, M.
Pisoni, D.G.	Redmond, I.M.	Sanderson, R.
van Holst Pellekaan, D.C.	Venning, I.H.	Williams, M.R.

PAIRS (12)

Weatherill, J.W.	Goldsworthy, M.R.
Kenyon, T.R.	Griffiths, S.P.
Portolesi, G.	Hamilton-Smith, M.L.J.
Rankine, J.M.	Evans, I.F.
Bettison, Z.L.	Treloar, P.A.
Caica, P.	Whetstone, T.J.

Majority of 9 for the ayes.

Clause thus passed.

Remaining clauses (12 to 21), schedule and title passed.

Bill reported without amendment.

**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) (20:19):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**WORKERS REHABILITATION AND COMPENSATION (SAMFS FIREFIGHTERS) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 19 June 2013.)

**Mr WILLIAMS (MacKillop) (20:20):** At last we get to this matter. The government announced almost 12 months ago that this matter would be brought to the house—

**An honourable member:** Guy Fawkes Day.

**Mr WILLIAMS:** Guy Fawkes Day, 5 November. It is almost 12 months ago. On at least one occasion the government also assured our good friends at the MFS that this would be

operational by 1 July 2013. This matter has been listed on the *Notice Paper* previously. It seems strange to me that the government would run scared of the CFS, but it seems that every time that some of our good friends in the CFS turn up here in their uniform ready to witness this debate, the government decides to postpone it. We find ourselves now at almost 8.30pm debating this matter. We have been told for a week now that this would be brought on first thing this morning—we were told in the last sitting week that it would be brought on—and, as I said, when some members of the CFS turn up in their uniforms the government seemed to be scared to debate this matter in front of them.

*Mr Pengilly interjecting:*

**The DEPUTY SPEAKER:** Order!

**Mr WILLIAMS:** There seems to be some evidence from the other side of the world that there is a causal link between those involved in fighting fires regularly, particularly fires in buildings with modern materials giving off all sorts of gases containing carcinogens. There seems to be a causal link between that occupation and a number of cancers that are developing, and the rate of these cancers amongst the firefighting fraternity is much greater than that amongst the general population.

A number of jurisdictions in the Australian context have made similar changes to the legislation which basically changes the onus of proof in the circumstances where a firefighter contracts one of these diseases or one of these cancers which are specified in the act. It reverses the onus of proof, whereas if this bill passes through the parliament, it will be automatically accepted that the contraction of these diseases under certain circumstances where the firefighter has fulfilled certain criteria, principally the length of service in the occupation, would be automatically presumed that the disease was contracted as a result of their work and thus they would be able to be compensated under the workers compensation scheme here in South Australia.

The opposition does not have a problem with that precept. For some time the opposition has indicated its support for the principle behind this. To my understanding the bill would not prevent WorkCover from disputing such a claim, it is just that they would have to prove that the contraction of the disease was not as a result of the employment as a firefighter. That is all it does—it reverses the onus of proof, whereas under current circumstances it is up to the firefighter to prove that the contraction of the disease was a result of their employment.

Where we seem to be out of step with the government on this is that there are two major classes of firefighters in South Australia and a whole range of subsets, I guess, within those two major classes. There are the paid firefighters in the MFS, and the government seems to address the matter with regard to them in this bill, but there is another class of firefighters: the unpaid or volunteer firefighters in the CFS (Country Fire Service). Is it not odd that the government might treat the MFS—the paid firefighting service which operates principally in metropolitan Adelaide and in a number of major regional centres—differently to the Country Fire Service, which operates everywhere else in the state but principally in rural and regional areas?

I said a moment ago that there are a number of subclasses within those two main sets of firefighters in South Australia. There is what would probably be best described as a huge amount of varying degrees of greyness, particularly in the CFS.

Having been a longstanding member of the local CFS brigade, I myself do not expect for a moment that I could make a claim if I happen to contract one of the cancers listed. I do not believe that I could claim that it was a result of me being a member of the CFS. I certainly do not recall attending a fire since I have been a member of this parliament, which is at least for the last 16 years, but, prior to that, I attended a number of fires in my local region over the years.

There are a number of CFS volunteers who are very, very regular attendees at fires. A great number of those fires are not bushfires. They are not fires out in the open country or in scrub: they are fires within built up areas that are not dissimilar to the fires that MFS full-time firefighters would be employed to try to control. The point we are trying to make to the government is that there are a number of firefighters within the CFS who are just as deserving of the protection that this bill would give to paid firefighters.

**Mr Pengilly:** Probably in Morialta and Hartley as well.

**Mr WILLIAMS:** Yes, a number of them would probably live in seats and localities that are represented by members of the Labor Party here. I am somewhat surprised that the government has not seen fit to embrace the position that the opposition has taken with regard to this.

I am not suggesting that every member of the CFS should have the same level of cover, irrespective of the length of service and the type of service that they have provided through their volunteering, but certainly—and I think this could be managed quite readily through regulations—there are a number of people who volunteer their services to their community through the CFS who are just as deserving of the protection that this bill will give to the full-time firefighters.

So, that is where it appears that we differ with the government in this matter. We in the opposition value the CFS and value the work of volunteering in our community, and there is no more important volunteering than that given by people who volunteer for our CFS.

CFS volunteers endanger themselves on a regular basis. In many of the situations they enter, they put their very life at risk and that, I suspect, is part of the reason that we have seen the numbers of volunteers in our CFS dwindle in recent years.

As a state and as a collection of communities, it is my belief that we cannot afford to see the decline that we have seen in recent years within the CFS ranks. As a state, I do not think that we can afford to provide a paid fire service covering the whole of the state, yet it is imperative. I know full well through my own personal experience how imperative it is to have a well-functioning fire service to provide fire cover across the state, irrespective of the population density. Our landscape is a very dangerous one to live in in the summertime and it is absolutely necessary that we have a well-resourced and well-manned fire service to protect our lives and properties throughout the state.

I ask the government to consider: why would we accept the principle that we need to put this legislation through the parliament to provide an added level of cover for professional firefighters when it is quite obvious that we have a number of firefighters within the ranks of the CFS who are exposed to the exact same dangers which would lead to the development of the same rate of cancers within their ranks, yet we would not offer them the same protection, particularly at a time when we are struggling to encourage enough people to volunteer their time in the face of uncertain but certainly real danger, when we are faced with dwindling numbers within the CFS, an organisation which is absolutely vital to our communities? Why wouldn't we offer the same level of cover to those people?

I fully understand the government's position, that it is frightened of the cost. However, as I say, many, many CFS volunteers would not expect to be covered because they attend very few fires, but they volunteer all the same. They do other work which does not necessarily expose them to the risks that this bill is aimed at addressing. Right across my electorate—and it is the same in virtually all other rural electorates—the CFS is very much involved in attending to road accidents. That is a traumatic exercise in itself. It does not necessarily involve—unless there is a fire involved in those road accidents—the same risk of developing a cancer from inhaling or being exposed to carcinogenic fumes, but it is an important part of the role that they carry out. Again, it is an incredibly important service to the rest of the community.

I guess the point I am trying to make here is that there are vast numbers of volunteers within the CFS. I understand that there are nearly 10,000 volunteers across the state with over five years' experience in the CFS. I know those numbers can be frightening when, in the MFS, the number of MFS operatives with over five years' experience is only just over 700.

I am not arguing that every CFS volunteer should get the same level of protection, but I think those who are regularly exposed and their exposure is not dissimilar to that of a CFS firefighter should be treated exactly the same way. That is the position that the opposition is arguing here and that is the position that we would like the government to accept. We cannot, for the life of us, understand why the government to date has not accepted that. I have on file some amendments to put into effect that position, and I will be moving those at the committee stage.

The other thing I think the government is well aware of is that the position the opposition is putting here is the position that will be adopted in the other place. I think if the government has done any homework whatsoever on this they would be well aware that they will not get this piece of legislation through the parliament without accepting these amendments, or amendments very similar to it, which embrace those very fine volunteers in the CFS who are exposed to the same or a very similar level of danger as their counterparts in the MFS. Having put the position of the

opposition on the record, I will close my remarks there and will have more to say in the third reading.

**Dr McFETRIDGE (Morphett) (20:35):** Let me put on the record for a start that I am a current serving member of the Country Fire Service. I respond with the Meadows brigade at the moment and for a long time I was with the Kangarilla brigade. I was captain of the Happy Valley CFS and recently I was awarded a national medal and a 25 year medal, and most volunteers, including me, do not ask for this. At that ceremony there were a number of long-serving members whose collective service totalled 4,000 years in the Country Fire Service.

This is not about Country Fire Service volunteers wanting extra benefits for nothing. This is all about valuing our volunteers. This is about making sure that this government realises what they have out there and that they cannot do without it. This is about making sure this government respects the people out there. As I was told today, whilst most people are running away from hazardous incidents, CFS volunteers and MFS firefighters are going to these incidents.

This government obviously is supporting the MFS through their union affiliates, the United Firefighters Union, and it is interesting that there are about 150 MFS members who are also in the CFS, so I wonder what those MFS guys are saying to their CFS colleagues when they turn up to their stations.

My father was also in the MFS for over 30 years. He died of bowel cancer, which is one of the cancers included in this legislation, and I remember as a kid dad telling me about the time they put on the asbestos suit to go into burning buildings and help rescue people. They put on a very rudimentary breathing apparatus with a bag in front full of soda lime granules that you had to shake up as you went in so you could keep breathing the air in and out of this bag as it absorbed the CO<sub>2</sub>. It was very primitive then and there are a lot of MFS members who have suffered from smoke inhalation and chemical toxicities.

It is a very dangerous job to be in. I remember my father coming home from the hospital bandaged up after having fallen through floors. It is a very hazardous position to be in, so I do not regret for one moment the government's announcement last Guy Fawkes Day of giving MFS firefighters this cover. It is something that they deserve. It is something they should get and it is something that they need, but do not for one second ever draw a line between what MFS firefighters do and what CFS firefighters do. It is exactly the same thing.

When I was captain of Happy Valley CFS we had what was called enhanced mutual aid. That was with the MFS at O'Halloran Hill and St Mary's and many times we had our CFS fire truck sitting in the MFS fire station at O'Halloran Hill and at St Mary's. You would be going to the same jobs and doing the same training. I remember going to St Mary's fire station and undertaking high-rise building fire training. Who would have ever thought that CFS volunteers would go into high-rise fires in the city when skyscrapers are on fire? The risk is there, the threat is real and the training is also there.

If you could go onto the government paging site, I bet even now, you would see that CFS and MFS firefighters are turning out to the same job, doing exactly the same thing, breathing the same smoke, getting affected by the same chemicals, and they are doing it time and time and time again. One exposure is enough to trigger some of these cancers, but CFS volunteers are not like that. What they are asking for here is a fair go. They want to be valued. It is not about the cancer cover. It is about being valued as volunteers.

It is about the fact that MFS firefighters get first-aid training. CFS volunteers do not get first-aid training unless you fit the quota. You do not get breathing apparatus training unless you fit the quota. You do not get road rescue training unless you fit the quota. I recently drove a truck at 1 o'clock in the morning to trees blocking a road; I had to stop it and put it back into first gear to get it up the hill. It is clapped out. CFS volunteers deserve better than this. They deserve better equipment, better training and better facilities, but they also deserve better recognition and to be better valued by this government.

I am absolutely amazed at this government. In this place we have one workplace with three workplace agreements, but now we are expecting the firefighters, who risk their lives every day at hazardous incidents all around the state, to have one workplace and accept two different workplace agreements. 'You can have cancer cover, but you can't.' This is absolutely ridiculous. Let me go back to Treasurer Jack Snelling's announcement on 5 November 2012. It was Guy Fawkes Day, which was rather ironic. It is headed, 'SA first state to support firefighters with cancer.' It should say, 'SA first state to support some firefighters with cancer.' He goes on in the press release:

We have seen the terrible heartache caused when people working with dangerous materials are not acknowledged for the risks they take.

Well, wake up, government! Wake up, minister! Wake up, Premier! CFS volunteers are taking exactly the same risks every day in their lives, going out there volunteering to protect South Australia. Without them, the fire services in this state would not exist and would not cope. Houses, property and lives would be at risk. It is absolutely unbelievable that this government is carrying on the way it is for what is, in real terms, in real value, very good bang for their buck if they ever have to pay out on these cancer covers. The minister's press release went on to say:

Now is the time for the government to protect those firefighters who protect us.

I cannot disagree with that at all, but let's not have a two-tiered system. Let's not have a firefighters apartheid. If you drive a red truck, you are covered: if you drive a white truck, you are not covered. It is an apartheid system that we do not need in South Australian industrial relations. The Treasurer in his press release went on to say:

The United Firefighters Union has advocated strongly for this move.

And, good on them. They are a strong, powerful and good union. The Liberal Party in this place is not anti-union, but we want them to be fair and to lobby fairly and represent the whole of the profession, not just pick and choose. I understand, and I will be corrected on this, that for a while, retained MFS firefighters were not going to be in this. If that is the case, what was the UFU doing? What were the MFS firies doing? I know most of them very well and they are not like that. They are inclusive. They do not want to see segregation or apartheid. They do not want to see discrimination. The minister goes on to say in his press release:

The government will now regulate to have measures in place by no later than July 1, 2013.

Well, the MFS guys have dipped out there and, certainly, the CFS guys are no further down the track. Minister Jack Snelling, on Guy Fawkes Day last year, said:

The onus of proof should no longer be on those who risk their lives for our safety every day.

That is, every day. Sure, there are some country brigades that only go out on occasional jobs, but some of those jobs might be a semi-trailer that has turned over that is full of hazardous materials and they have to deal with it. They still have to deal with it. Where would we be if they were not there? Where would we be if the road crash rescue brigades were not there out in the bush?

Then you come right back to the other spectrum where I was at Happy Valley. We had 356 calls in the last year I was there. It was not just a case of putting on the yellow uniform and going out and putting out a little grass fire. There were building fires, car accidents and hazardous materials. It was enhanced mutual aid, going down with the Metropolitan Fire Service and helping them to do their job. Many a time when they get a third or fourth alarm, you will see white trucks sitting at Wakefield Street.

What did we see out at Regency Park the other day when that big oil fire happened? We had the CFS tankers going down there because they did not have a water supply. The bulk water carriers went down there, and CFS volunteers went down there. CFS pumpers went there to relay the water because the water was so far away, and then we had Elvis the helicopter coming as well. So there was great cooperation.

There is terrific cooperation between the MFS and the CFS. I know, years ago, there was tension between the MFS and the CFS—the muffs and the vollies—but that has all gone now. They are one profession with one professional attitude, doing their best for South Australia. This government should not think that the volunteers do not deserve their support. I have heard figures of \$50 million out there. I do not believe that for a moment and the CFS volunteers association does not believe that.

Just suppose it was that. Let us have a think about what the 13,500 CFS volunteers did last year. They attended about 8,000 incidents. They were not just grass fires; they were building fires, road accident rescues, helping with search undertakings—they were right across the whole board of everything that the Metropolitan Fire Service does; yet we see this government not valuing their volunteers.

It is an absolute and deplorable shame that we have a Labor government that supposedly is looking after the workers of this world. You do not need to be paid to work. Volunteers do not want to be paid to do this work. These volunteers want to be able to go out there and do their work but be valued. Their families worry just as much about them as my mum and I did about my dad

going to work every day. We knew when he came back that he had done a terrific job. He would come back bandaged and bruised and sometimes he came back feeling really great, like the day he rescued twins from a house at Elizabeth. There were good days like that but there were other days when it was not so good, when you had bodies to recover.

We had a fire near our place the other day. I turned up and there was a car on fire and I was just so pleased that the person had managed to get out of the car. Having to deal with that end of it, with deceased people and bodies in road crash rescue and with hazardous chemicals—particularly hazardous chemicals, not knowing what the potential impact could be in years to come is what this is all about.

It is not because you join the CFS one day and you become eligible the next. There are waiting periods. In the MFS bill we have here today that should be covering the CFS, primary site brain cancer is a minimum of five years; primary site bladder cancer is 15 years; primary site kidney cancer is 15 years—and it goes up—primary leukaemia is five years; testicular cancer is 10 years; multiple myeloma is 15 years; colorectal cancer is 15 years—dad would have well and truly qualified for that at 30 years but he certainly was not looking for anything to do with the fire service for any sort of claim at all; and oesophageal cancer is 25 years.

I qualify for all those but I am not—and I certainly know every other volunteer in South Australia—looking for the cancer cover. What they want to be is valued. The cancer cover is just a sign that this government values them. The day they do not recognise the value of our volunteers is a very sad day for volunteering in South Australia. It is a very sad day for this parliament not to be able to put its hand up and say, 'We know it costs but we do value what you are doing and we recognise what you are doing.'

I implore this Premier, the minister and the Minister for Emergency Services to think again about this. Do not think about the money. \$40 million for a footbridge over the River Torrens but you quibble over a supposed figure of millions in payouts to CFS volunteers. When you look at the incidence per 100,000 of these cancers it is very small. When you put that down to the 13,500 volunteers it is a very minute risk—a real threat but a very minute risk of these people wanting to claim.

Do not devalue our volunteers. Do not do what you are doing to them now. Do not destroy their faith in us as members of parliament to value them and that all they ever see is that when there is a big fire we go and stand in front of the cameras and say what a great job they have done. They appreciate that but what they really want, besides having good equipment, good training and good facilities, is to be valued. They want to be recognised for the professionals that they are.

The Hazmat training, the road crash rescue, the high rise, the structure fires, the car fires, the plantation fires—even now you have to do a two-day course to learn how to use a chainsaw in the CFS. It is becoming more and more onerous to train in the CFS. Yet these volunteers do it day after day after day. They come out and train and they do not complain. I am complaining on their behalf because they do not. I will keep standing up in here every time this government does not value these volunteers.

I will say in this place that I will never claim against this as a CFS volunteer—never. If you want that commitment from me you have it, so there is no conflict of interest here at all. This is not about me; this is about valuing our CFS volunteers, and I am very proud to be a serving member of the Country Fire Service. I want everybody in this place to value them. On this side of the house we could crew a truck tonight. The member for Hammond, the member for Stuart, the member for Finnis, myself, the member for MacKillop, the member for Chaffey—we could drive and crew a truck tonight. We could do that. We know what it is like to be out there.

The former premier and the current Minister for Education, they have been in the CFS. Where were they when this was being put through cabinet? We know where the former premier was, he was in London, but you would think that he might have said, 'Hang on guys! I still have some connections back here.' The education minister, where was she? In cabinet? She was not out at the Salisbury CFS, she was not talking to them and asking them. The Labor members of parliament, how are they going to face their CFS volunteers? Are they going to say, 'Well, you don't go to that many fires, you won't be bothered by this. That's okay, we love you.' We want your love, we want your appreciation and, in this case, a tiny bit of money. It is about valuing volunteers. It is not dollar value, it is about volunteering.

*Mrs Vlahos interjecting:*



**Dr McFETRIDGE:** Pardon, member for Taylor?

*Mrs Vlahos interjecting:*

**Dr McFETRIDGE:** I just fail to understand the rationale, the thinking here, how the caucus could have let this go through. You say that you are serving the people of South Australia. Well, serve the people of South Australia, change this legislation—support our CFS volunteers.

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (20:51):** I rise to speak on the Workers Rehabilitation and Compensation (SAMFS Firefighters) Amendment Bill. In making this contribution, I confirm that I am not a member of the Country Fire Service or the Metropolitan Fire Service or the State Emergency Service, but I am proud to say that I am the opposition's spokesperson for emergency services in this state.

In the short time I have had that role, I have certainly grown in my knowledge and understanding of the personal sacrifice that people make in providing emergency services to us, and that is not to diminish lifesaving and ambulance services, some of which are now allocated to other areas of portfolio responsibility. Clearly, people who serve in a paid or voluntary capacity put their life on the line on a regular basis for the protection of all of us, and I thank my colleagues all around this parliament who have served in any of those capacities.

The member for Morphett has given a passionate contribution to this debate, outlining his commitment to volunteers and his plea to the government that it remembers and recognises this service and does not distinguish, to the extent of exclusion, between those who are professionally career-based contributors in relation to fire management and protection and those who are volunteers. I think it was one of his better speeches. I was most impressed with that contribution.

In essence, what has occurred is that the government is proposing a bill for our consideration and approval which will ensure that firefighters who contract a range of cancers—and there are some 12 of them, with different threshold qualifying periods—which potentially have been caused by the exposure to the occupational hazards of fighting fires to be able to have financial support and access to WorkCover assistance and rehabilitation. The principal act, of course, provides this across the state for personnel who are eligible.

In essence, it does not give a new claim, but it makes it easier for those making a claim by starting with the presumption that, under the act, a firefighter who has contracted one of these particular cancers would be deemed to have contracted it in the course of their duties. So, they do not have the onus of proof. The hurdle, in litigation, to overcome that would be for the respondent (in this case, representatives of the government) in that they would have the responsibility to rebut that presumption if they were satisfied that, in fact, there had been some other causal principal link to the development of cancer in the applicant.

It is interesting in that there has been in this particular bill a placing for the application of this benefit to what the government call 'career firefighters'. The contribution to the second reading from the government suggests that people who are in the South Australian Metropolitan Fire Service, including retained firefighters who contract these conditions, are more at risk as a result of direct exposure to carcinogens released by combusting materials and that this needs to therefore apply to them and they have this benefit of privilege. There is no issue with that.

The data that has been presented to us in briefings, and the public consultations on this issue, which has been in the field for some time I think demonstrably recognises that, and it is reasonable that the Metropolitan Fire Service firefighters have that application so that their families and the firefighters can be relieved of that extra burden. There is no issue with that. What has become apparent, though, is that the government is resistant to a claim for volunteers in the Country Fire Service to be eligible for the same benefit.

It seems that, in the dialogue and correspondence between the relevant parties on this issue, the government's basis for rejection is that because there is such a substantially greater number of personnel—that is, some 10,000-plus at present in the Country Fire Service—this would expose the state, and therefore the taxpayer, to a very high risk of a very substantial amount of money that would be necessary to meet this obligation.

I have heard claims that it is estimated at some \$25 million. The minister, the Attorney-General, put to me today that it is more like \$50 million. I am not sure who is giving the right information here, but I make the point that the government is saying that this is too costly an exercise if we expand it to the volunteers and therefore they should be denied this privilege of the reverse onus in relation to the burden of proof.

As I understand it, the government has attempted to present a compromise position. The thresholds apply, as apply to the MFS, but they would also have an average exposures test, which would eliminate most claimants from having the opportunity of this reverse onus but would narrow it down to perhaps about 800 volunteers, potentially, and that would significantly reduce the financial exposure of the government to providing it. As I say, it does not automatically mean they are entitled to a claim, but it does place the onus back on, essentially, the government's representatives to rebut that primary presumption.

It seems as though those who are representing the CFS members say that that is not acceptable and, in perhaps less passionate terms but no less sincere than the member for Morphett's contribution, they have outlined that it would just be inequitable and unacceptable to distinguish and disadvantage those who are in the volunteer industry. That matter has not been resolved.

Whatever the figure is, whether it is \$25 million, which seems to have been a figure of discussion substantiating the government's position, or the newly arrived \$50 million figure that was presented to me today, what is very disappointing is that the government has had every opportunity over the last 12 months to present to the opposition, indeed to all members of parliament here, the data that supports the claim of the extraordinary cost to justify this claim.

The very fact that I am getting somewhere between \$25 million and \$50 million proposals, and other members have different figures (I do not know), I make the point that there has been every opportunity to present that. In fact, I had a meeting with the Attorney just this morning and indicated that we would need to look at this to consider this financial aspect and whether it has any merit at all—and it may—and that we need to see that material. I thought I was going to get it during the day; unfortunately, it has not arrived.

Again, I think the government's practice of attempting to keep the opposition in the dark on these matters as some means by which they will just crush through legislation is a very poor standard to set, and it is certainly not one that will deter me, and I am sure most members on this side, from our resolve to ensure that there be some equity of application for victims who have one of these 12 cancers for relief, compensation and rehabilitation, whether they are paid or unpaid.

I am very proud to say that I have in my electorate a South Australian Metropolitan Fire Service unit at Glen Osmond. In fact, they have a proud new facility. I remember putting in submissions to the Public Works Committee for that to progress, and I was very proud to see it recently with the lights on and operating. It has not had an official opening yet. I am still waiting for an invitation to that and I will look forward to welcoming the minister out to the seat of Bragg because I am proud, and the members of the MFS are proud, of the work that they do.

Not only do they have what I would call the usual Metropolitan Fire Service responsibilities, including a service to roads, but, of course, they are adjacent to the very busy South-Eastern Freeway which, sadly, requires attention from time to time with motor vehicle accidents, truck damage and so on. It also requires specialist attention, especially with the management of either distraught persons or stock or animals, pets, and obviously people who are injured and, in addition to that, the delicate management of contaminants that might spill out from any number of vehicles that use that freeway. So, they have a busy life but they also have brand new facility which helps them with training.

Right around the corner we have the Burnside Country Fire Service. That is such a popular country service branch that not only are our current serving Metropolitan Fire Service officers members of that, but we have a waiting list, and I would like to see some encouragement given to accommodating these people who would like to join the Burnside CFS. Obviously they have metropolitan management of vegetation which is right up to intensive housing areas, and also all of the challenges on the freeway. Frequently, whether it is a bushfire or road accident on the freeway, CFS, MFS and SES are all called to assist.

We do not have a local SES but there is one in the neighbouring electorate, particularly if there is a search or recovery of a body, the SES come in with their valued skills as well. Very often these personnel are at the same fires, facing the same risks, obviously in the face of the same dangers; and they are often the same personnel, some who overlap in voluntary and professional career roles.

The other aspect that I think is particularly important for the Country Fire Service is that they have a very strong role in the education, management and supervision of cold burns which help reduce the fuel load, which is such a major factor when it comes to management of fire risk

and protection of property and persons during fire danger periods. They are very active in that area, and it is fair to say that, if they do a cold burn area, they search the area first and they properly inspect the precinct.

There are contaminants: there may be chemicals on posts, there may be toxic paints and all sorts of things that they are exposed to during the course of even a managed cold burn activity. They may be called to household fires, and in fact, the member for Morphett, ever vigilant with the latest news, tells me that the Salisbury MFS and CFS are both attending a fire alarm at the Ingham's chicken factory at Burton as we speak, so that is an area of cooperation.

How is it that a MFS officer can claim, having reached the 10-year threshold for a potential cancer claim, having attended at the Ingham's chicken store on this day, and yet the fellow Country Fire Service volunteer in 10 years would not be eligible if this legislation goes through? The unfairness of that has been highlighted.

I make the point that this extra role of the CFS—that is not to say that the MFS does not have extra roles as well, but this extra role that the CFS particularly has—actually exposes it to a number of areas of contamination and toxicity which could introduce the cancer risk. We had a number of briefings about what the carcinogenic triggers for these things are. Probably none of us here in this house are experts on that, but we are reliably informed that there are direct connections and that there is a justification for firefighters to have that exposure.

The fact that the government has decided that it will allow only Metropolitan Fire Service personnel to have access to this consideration is deplorable. Any justification is weakened by the fact that any evidence to support the claims for massive and unaffordable financial cost by giving access to our volunteers simply evaporates given that no documentation, in all the months that we have been dealing with this, has presented itself for our consideration. I am deeply disappointed in that.

I thank those who continue to put their lives at risk and make our lives safer. I thank those who not only give us advice in the management of fire and emergency but also ensure that our buildings and property, both natural and built assets, are protected. That is valued advice from the MFS and the CFS, and I thank them for that continued service.

**Mr VAN HOLST PELLEKAAN (Stuart) (21:07):** I will not go over all of the issues with regard to this bill, other than to say that I think the government has the start of a very good bill on the go here. There is just not enough in it, and I am very hopeful that, with the support of the opposition, the Independents and minor parties, it will get to where it needs be.

I declare the fact that I am an active CFS brigade member with the Wilmington brigade. Like all of us here, if you spend half your time in Adelaide and only half your time at home—in fact, in my case, probably half my time in Adelaide, a quarter of my time at home and a quarter of my time anywhere else in the electorate—you do not get to participate as much as you could. However, if I am home and the alarm goes then I attend. I put on the record though that I am not looking for this protection for myself either. Like the member for Morphett, that is not why I am here talking about this.

There is no doubt that the MFS deserves this protection, and I congratulate the government for giving this protection to the MFS. I also highlight the fact that within the MFS there are paid and retained staff. They are not all the professional firefighters that people would often think of. There are also retained staff who are not full-time firefighters, in fact, a long way from it. Guess what? The full-time, professional, fully paid-up firefighters deserve this protection, but so do the retained MFS firefighters deserve this protection.

There should be no difference, whether they are full-time firefighters or retained MFS staff. But guess what? So do the volunteers. The volunteers deserve exactly the same protection as well. The protection for people doing a job and facing risks on behalf of the community should not be linked to whether they are paid a lot, paid a little or paid nothing. If they are doing it on behalf of the community and they are facing exactly the same risks, they should receive exactly the same protections.

I think any member of parliament would think that. It astounds us over here that a Labor government would not have that right at the core of its principles. I think it should be for absolutely everybody to pursue it that way. To be told, as we have been, that it is just too costly to afford that protection is a very sad thing to hear.

I do think the government is working under a bit of a misapprehension. I think the government may well have it in its mind that you have fully paid-up, full-time MFS firefighters in the metropolitan area ready to fight metropolitan-type fires facing metropolitan-type health risks, and volunteer firefighters out in the country just helping at car crashes, bushfires or grass fires and they are all volunteers. The real world is a very long way from that, very different from that. There is absolutely enormous cross-over.

I think the government is also acting on an unfortunate misconception that CFS and MFS firefighters are different people—very often they are exactly the same person. There are countless retained MFS firefighters who are also CFS volunteers across our state, an enormous number of them. There are CFS brigades working throughout metropolitan Adelaide. There are 16 MFS stations in country South Australia: Kadina, Kapunda, Moonta, Tanunda, Wallaroo, Berri, Loxton, Renmark, Mount Gambier, Murray Bridge, Peterborough, Port Augusta, Port Lincoln, Whyalla, Port Pirie and Victor Harbor, three of which are in the electorate of Stuart that I represent.

Guess what: they very often go to exactly the same incidents and they support each other and they very often do exactly the same work and they very often face exactly the same health risks, so they deserve exactly the same long-term health protection from the government.

Just last night the alarm went off at Port Augusta prison: MFS turned up, CFS turned up, Port Augusta MFS turned up, and Stirling North, our local Port Augusta CFS brigade, turned up. Fortunately, it happened to be a false alarm (as an aside, that happens very often, which, as members would understand, is exceptionally frustrating, particularly for the volunteers). Putting that aside for the moment, they both turned up, and if there had been a problem they both would have done their job and both would have faced exactly the same risks.

So, where we have in these 16 locations across rural South Australia MFS and CFS collocated in the same town, they share the work, they share the risks. Guess what else: in the rest of country South Australia, where we are not fortunate enough to have those 16 MFS stations, the CFS do it all. So, it is not a matter of just saying that you have your fully paid-up firefighters in metropolitan Adelaide putting out skyscrapers on fire, or whatever the movie might tell you is the standard thing, and out in the country you just have local yokel volunteers waving a garden hose on a grass fire—nothing could be further from the truth in both instances. They share the risks, they share the work and they should have the opportunity to share the same protection.

It is a fundamental right that, where the risks are the same, working on behalf of the community, they should not be separated. In fact, it would be, I suspect, quite risky of the government to deliberately do so. I am not a legally-trained person, like a few other people in the house here, but I suspect it may well open up the government to risks of litigation and that sort of thing if the government actively decides, knowing that the risks are the same, to not actually give the same sort of protection.

CFS and MFS both deserve the same quality helmets; they both deserve the same quality personal protective equipment when they go into a fire; and, they both deserve the same level of long-term personal protection too, which covers unfortunate health outcomes related to their work. They both deserve exactly the same protections. The risk to the government's finances from claims is directly related to the chance of a firefighter contracting a very unfortunate disease which is directly related to the participation and involvement that they do. Certainly, if you are a person who is very involved, face lots of risks and participate often, your chance (very unfortunately) is higher. If you are a person who does not participate a lot, and you do not expose yourself to those risks a lot, your chance of contracting one of these diseases is of course lower.

The principle is that the right to the appropriate level of protection is the same for all people; if an MFS person deserves it, a CFS person deserves it. If a paid firefighter deserves it, a volunteer firefighter deserves it. If you do the same job, you deserve the same protection from the government.

**Mr PEGLER (Mount Gambier) (21:15):** I first of all declare that I am a member of the CFS, and have been for close on 30 years. I do support this bill, but I cannot whilst it does not include CFS volunteers, so I will be voting against it in its present form. The bill reverses the onus of proof for certain types of cancer; those cancers being brain cancer, bladder cancer, kidney cancer, non-Hodgkin lymphoma, leukaemia, primary leukaemia, primary site breast cancer, testicular cancer, multiple myeloma, prostate cancer, ureter cancer, colorectal cancer and oesophageal cancer.

The causes of these can be from carcinogens. Often, these carcinogens will be in structures, and if they combust they will give off gases, etc. These carcinogens include formaldehyde, chloroform, styrene and benzene. You will find all of these chemicals in many farm sheds, and you will find many of them in houses and cars. As a volunteer, I have been to many car fires, house fires and shed fires. We, as volunteers, have the same risk as MFS people; the difference is that they probably attend more fires than CFS volunteers, but I am sure that can be worked out in working out whether they could be beneficiaries of this bill.

In my electorate there is the Mount Gambier MFS, which has six full-time firefighters and 24 retained firefighters, and we also have 15 CFS brigades. I have had a great working relationship with both the CFS and MFS in my electorate for many years and I have always encouraged them to work together, and they have worked together exceptionally well. If you go to many fires you will see a yellow truck and a red truck, and of course anybody whose house happens to be on fire is not concerned whether it is a red truck or a yellow truck.

If we pass this bill in its present form, I think it will end up putting a wedge between the MFS and CFS. How can we have a situation where the blokes in the yellow trucks are not protected but the blokes in the red trucks are? I think it is an untenable situation, and until we can take into consideration the CFS volunteers in this bill, I will be voting against it.

**Mr PENGILLY (Finniss) (21:19):** I also feel compelled to say a few words on this bill. I find it, quite frankly, unbelievably stupid that this Weatherill Labor government does not see fit to recognise the potential cancer risks to CFS volunteers. I say that as I have been a CFS volunteer since 1968 (45 years), and I just wrote down a few minutes ago some of the fires I have attended. They include hay fires, tyre fires, house fires, caravan fires (where we scraped a dead body out of a caravan, I remember, when I was about 18), scrub fires, grass fires, vehicle fires, shed fires, rubbish dump fires with their plastics, jet fuel fumes from aircraft refuelling, etc., chemical fires, and the list goes on. They are just a few I can think of.

I listened to the member for MacKillop, and after what his family went through probably no-one in this place knows better than him the impact of fires on communities, and I listened to others, such as the member for Morphett. The ones in the Labor Party who I cannot believe have not fought this are people like the member for Light, the member for Kaurana, the member for Hartley, the member for Bright, and the member for Mawson. It is not rocket science. They have CFS volunteers right through their electorates who attend fires, road accidents and everything else, yet they have not stood up for their CFS volunteers.

They have allowed them to potentially be left out while they support the MFS paid crews, their union mates, who I have no objection to whatsoever. That is a different ball game, but you cannot have, as I think the member for Morphett said, firefighter apartheid here. That is what you have—firefighter apartheid—and it is absolutely disgraceful. What is wrong with this lot? You want to get out in the community. You are on the nose, completely on the nose, and you ought to wake up to it pretty smartly, quite frankly—or perhaps we should not encourage you to wake up to it.

It was also mentioned here earlier that there used to be a fellow in this place called premier Rann. Remember him? You knifed him and got rid of him. He used to like to get out pretty regularly in front of the cameras and on the TV in his CFS volunteer overalls. You used to see him fairly regularly—

*Mrs Geraghty interjecting:*

**Mr PENGILLY:** Well, you can get up and have a go in a minute, if you want to. I have the floor and you do not like it because I have mentioned Mike Rann of blessed memory.

*Mrs Geraghty interjecting:*

**The DEPUTY SPEAKER:** Order!

**Mr PENGILLY:** I have mentioned Mike Rann of blessed memory and you do not like it. There was another fellow called Kevin Foley, too, I think, wasn't there? Anyway, they are both gone; you shafted both of them. I cannot believe that you will not factor CFS volunteers into this bill. The Hon. Tammy Franks in another place—she and I are fairly diametrically opposed on many policies—

*Members interjecting:*

**Mr PENGILLY:** —not eggs and CFS volunteer firefighters—however, on this particular issue, she stood up to be counted. Government members can walk around and look smug and

sanctimonious about this and say, 'Oh well, we're right, we're doing the right thing,' but I put it to you that if you have any brains whatsoever you will incorporate CFS volunteers into this bill. It is the only decent thing you can do for the rest of your careers here, some of you; you ought to do this and put it into place.

Over the years, along with other CFS volunteers on this side and around South Australia I have been to multitudes of fires at all hours of the day and night. I think I have said before in this place that I am still a member of my brigade, but I have also had the privilege, until this government wiped out the board (I got wiped out by someone from another place), of being the presiding member of the CFS board for a number of years, which I thoroughly enjoyed. I met the volunteers—at that stage we had 17,000—and a finer group of people you could not meet. I think we are down to about 13,000 now, which is a tragedy.

You on the other side, the current state Labor government, stand condemned if you do not look after CFS volunteers. I do not know how you can sleep at night. I will go to bed and sleep pretty well tonight, but I hope some of you toss and turn, particularly the member for Light, the member for Kaurua, the member for Hartley, the member for Bright, the member for Mawson, and a few others thrown in.

We do have one member in this place, the member for Morialta, who fully understands and recognises that he has CFS active in his electorate, and he will fight hard to try to get some sort of decent coverage for them as far as insurance goes, but the rest of you, you are a disgrace. You are an absolute disgrace. You should not be in this place if you do not support all forms of volunteers.

How you have allowed this to go through your caucus and screw the CFS volunteers has got me beat. It has completely got me beat. It is outrageous, and I just hope that when the day of judgement comes the people of South Australia know exactly what you have done and what you have not done. You have just set about and shafted country kids by putting a curfew on them in one bill. Now you are so stupid you are going to wipe out the CFS volunteers in the next one. You stand condemned.

**Mr BROCK (Frome) (21:25):** I also rise to speak on this bill. I congratulate the government on bringing this bill forward, as the member for Mount Gambier indicated, but I will not support the bill in its current form. The main reason is the omission of CFS. I am not going to go over the whole lot, but other members have spoken very clearly and very passionately about the value of volunteers, not only in firefighting, but in volunteering across all of regional South Australia and also the metropolitan area. We need to recognise that and ensure that they have the same opportunities and protection as everybody else.

I would just like to go back to when the Deputy Premier introduced the bill on 19 June 2013. He indicated that this measure would ensure that from 1 July 2013 South Australian MFS firefighters, including retained firefighters, would be covered. The question there—and it has not been mentioned in here—concerns some of the retained firefighters. They are the ones in locations such as Port Pirie, Port Lincoln and others where there is an MFS facility in a regional area.

**Mr Pegler:** And Mount Gambier.

**Mr BROCK:** And Mount Gambier; sorry, member for Mount Gambier. Some of those retained firefighters are also CFS volunteers. My question to the Deputy Premier is, how will they decipher if one of those retained firefighters does unfortunately contract one of these cancerous diseases? How are they going to decipher that issue? On 5 November 2012, the press release from Premier Jay Weatherill stated:

We have seen the terrible headaches caused when people working with dangerous materials are not acknowledged for the risks they take.

He also went on to say:

We will join the Commonwealth and become the first state in only the third country in the world to recognise and compensate firefighter cancer. Scientific studies across the world have demonstrated that firefighters are at greater risk of developing certain types of cancer through direct exposure to materials as part of their job.

The question there is very clear. In my opinion, the Premier makes it quite clear about firefighters. That press release does not distinguish between retained or separating CFS. They are all firefighters in my opinion. The workers rehabilitation minister at the time, Jack Snelling, said:

The onus of proof should no longer be on those who risk their lives for our safety every day. If a firefighter develops a specific cancer, they will be automatically covered under our workers' compensation claim.

I think some of those press releases are very misleading. They say firefighters, and by firefighters they should be including the volunteers, the CFS and the retained and full-time MFS people. I am not a member of the CFS.

**An honourable member:** Shame!

**Mr BROCK:** Shame; I realise that.

**An honourable member:** We'll get you signed up.

**Mr BROCK:** Get me signed up. In my previous job I did not have the time to be firefighting, but in my electorate I am very fortunate to have the MFS. They have retained and they have full-time firefighters, and I also have 18 CFS locations across the electorate of Frome. Those 18 CFS locations do exactly the same as our MFS firefighters. They go out there and they fight fires. They also go out there and attend road traffic accidents. They attend a lot of stuff there.

The ones from Napperby, Crystal Brook and Port Broughton also assist the MFS people in Port Pirie. They are full time. We have volunteers, retained and MFS personnel going to a same incident, inhaling the same odours, smoke or vapours. If somebody from the MFS or a retained and also a CFS volunteer contract one of these cancers, are we going to leave that CFS person out?

I believe that this bill, in this current format, is discriminatory. I cannot support it in its format and I would very strongly urge the government to just put three letters into this bill: CFS. If this bill does not get through in this place, I am hoping that in the upper house it is pulled apart and a bit of common sense is put into it.

**Mr PEDERICK (Hammond) (21:30):** I rise to speak on the Workers Rehabilitation and Compensation (SAMFS Firefighters) Amendment Bill. I echo the thoughts of people on this side of the chamber. We think this is a great bill with respect to compensation with regard to certain cancers that can be picked up by metropolitan firefighters, but we wonder why the government has this discrimination in place with regard to Country Fire Service volunteers. I will note my interest: I am a CFS volunteer. I have been for many years. Probably because of this job I do not get to as many fires as I would like to.

*Ms Chapman interjecting:*

**Mr PEDERICK:** Yes, that's it. Not that I am looking for fires to fight, I must say. It is just that you do not have the availability to be as close to the truck as when I was working on the farm, being only three kilometres from the local Coomandook fire shed. It is interesting that the government completely disregards the needs of about 13,500 volunteers who operate with 425 brigades in this state and who operate over 850 trucks. That is not insignificant in anyone's language.

The Country Fire Service attends about 8,000 incidents every year—another not insignificant number. If people think the Country Fire Service just goes out to the odd bushfire, where the odd harvester lights a fire or there is a lightening strike—and we had a few of them late last year; I certainly had one on my property—think again. They attend very similar, and sometimes the same fires as MFS units attend. The CFS attends bushfires, structure and motor vehicle fires—with many structure fires the MFS are involved as well—road crash rescue, hazardous material spills and, as I said, are a great support for the Metropolitan Fire Service.

There are CFS brigades right throughout my electorate, and we have a Metropolitan Fire Service in Murray Bridge and they fight fires side by side. Whether they are structure fires, road traffic fires, all of those incidents are attended by people from both corps of firefighting. It is interesting, if you look at what happens with the highway work—I am mainly talking about the Dukes Highway now, down near where I live at Coomandook.

We have brigades like Coonalpyn just south of my electorate in the member for MacKillop's electorate, which are set up for road crash rescue with breathing apparatus. Obviously, we are only about 20-odd kilometres up the road from there towards Adelaide at Coomandook and we have a 34 and also a 9,000 litre tanker truck. So, we are pretty well serviced by the CFS. Apart from the other trucks, they are very close on other highways around us in other locations.

It is interesting, you talk to blokes who have been in the CFS for a few years, especially the guys and ladies who are involved in the vehicle crash rescue teams, and some of them are just having a year off. I know one man who is having a year off this year because he has seen enough. He has seen enough, as the member for Morphett indicated, of truck accidents, cars going under trucks, rollovers, vehicles going off the road, having to deal with burning vehicles and—

*Dr McFetridge interjecting:*

**Mr PEDERICK:** Absolutely. Burnt bodies—and as the member for Morphett said, sometimes people come across someone they know, especially in a small community. We have had some horrors. At Coonalpyn there was an unfortunate incident on the highway where a man was hit by several large trucks, and it was a terrible sight for people to deal with as volunteers but they got on with the job. That goes home with these volunteers, and that is why I am not surprised that some of these people have decided they just need a year or so off to ease the mind. They will get back into it when they have their mind right.

This is the volunteer work these people do day in day out. They do not ask for a lot of things but they just like a bit of recognition. I look at what happens with a lot of these road traffic accidents and, because we just don't have the numbers of police out there, it is the CFS personnel who become the road traffic management personnel. They shouldn't have to do it but they do it because that is what has to happen in the first instance because there are not the police numbers that close. In fact, we have one police officer stationed at Coonalpyn and it is just not enough when you have a massive incident and you need people to do the traffic management around these sites.

When there is a fatality—and it happens too often for my liking—the Dukes Highway gets shut down and they have to wait for the road crash incident team to come down from the city and then the volunteers have to be in place so what happened gets worked out and the site gets cleaned up, and that can be many hours that these people aren't doing their jobs. Many of these people are self-employed on farms but some are working for different industries around the place and different jobs in the surrounding area. So, it is a huge commitment.

I would like to note a group training day that the local CFS through the Swanport Group and, apart from trucks from the Murray Bridge area and further south down my way to Coonalpyn and Coomandook, there were trucks there from down towards Salt Creek and also trucks from north of Murray Bridge, and their training was about a whole range of fires. It was about assisting the SES in doing fires in boats on the river. There was structure fire training and, apart from that, what happens in many places is the standard bushfire training where you are either turning grass fires or crop fires or stubble fires.

CFS volunteers deserve to be acknowledged, they deserve to be part of this bill to have the same compensation eligibility as MFS firefighters and they should not be discriminated against. They should have their day in the sun. They do a great job for this state and it is about time the government recognised that.

**Mr VENNING (Schubert) (21:39):** I want to enter this debate briefly because there is a bit of emotion running here and I have a strong feeling about this. When the member for Finnis was talking he mentioned the words 'firefighters apartheid'. Well, that is exactly what this is. I just cannot believe it. When you look at this and consider what this is trying to do, I cannot believe it.

We must factor in the CFS to this bill. I cannot understand how anybody could say you shouldn't. How can you give the privilege of protection to a select few, overlooking totally the volunteers who are doing the same job? How can you exclude CFS? Are they not worthy of the same privilege of protection given the retained firefighters, particularly when some are serving in both roles? Our CFS often has a heavier workload than the MFS. I have served in many communities where there were both. I mentioned Kapunda. In our communities they are subject to many hazardous situations. This is the CFS.

Not only do they fight fires, they are often involved with hazardous chemicals. They attend car and truck accidents, using the jaws-of-life. They attend medical emergencies, which include fatalities. How can the government discriminate in this way? Who looks after an injured or a cancer-affected CFS or SES volunteer? I have mentioned the SES because they have not been mentioned before. I cannot see how they should be any different.

This cost is paid by the volunteer's employer, who already subsidises the wages of these gallant people when they are out fighting our fires, especially during working hours. I do not believe that the employer should have to pay these costs. I am amazed that these people go out and fight fires and the people who are paying the wages are never compensated. I cannot believe that, in this day and age, that goes totally unchecked and, I think, generally unrecognised.

This is discrimination at its worst. The worst situation is when the CFS attend road fatalities. I take my hat off to them. I could not do what they do. For young men, handling deceased people—sometimes they know them—leaves emotional scars. They are certainly entitled to



rehabilitation, counselling and compensation if they cannot go back to work. Why should the employer pick up and absorb that cost? That is what happens today. It is not on, and it is not fair.

I pay tribute, yet again, to our volunteers: our CFS and SES. I publicly thank them and honour them and will do all I can to assist. We have seen the demise of the volunteers with St John Ambulance during the time I have been here. Do you want the CFS to go the same way? It cannot happen, because we could not afford to pay enough professionals to give the same protection that the CFS gives us so well. I cannot believe that the government, if it is going to introduce a bill like this, can exclude the CFS. I pay tribute to them and I hope the government will see its way clear to amend the bill to add the CFS and SES.

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (21:42):** Can I thank everyone for their contributions today. I know they were all sincerely meant and everyone who spoke has a passion about the role the volunteers play, particularly the people in the CFS. I appreciate and respect that, absolutely. Can I say though that most of the contributions, in the end, sought out a straw man and then belted the straw man to death, and that is unfortunate because—

**Ms Chapman:** We don't need to. You've already crushed him.

**The Hon. J.R. RAU:** Alright; fair enough. I just want to clarify a few brief matters which might be of assistance to members of the house. First of all, there is no argument between anybody in this house that the MFS people should be recognised as they are in this bill—that, at least, we agree upon. Whatever happens here today, it would be a disaster if that was not able to proceed and proceed swiftly. The second thing is none of us—and I am talking about the whole of the government but, in particular, my ministerial colleague the Minister for Emergency Services and I—would raise any issue about the valuable work done by the CFS.

**Dr McFetridge:** Well, put your money where your mouth is, John.

**The Hon. J.R. RAU:** Hear me out. I am building up to a crescendo here. It takes a few moments, but it will still be quicker than yours.

**Mr Venning:** You're younger.

**The Hon. J.R. RAU:** That's right, I'm a bit younger. Anyway, back to the main topic. So, there is no issue about the value of the CFS—they are valued, no question. In fact, can I actually say that, again, my ministerial colleague the Minister for Emergency Services spent a great deal of time and a great deal of energy working on this problem and has tried to resolve the matter in a way which would accommodate all people as much as any resolution of a problem can accommodate everybody. I want to place on record my appreciation of the amount of work he has done in that regard. I will tell everybody a little bit later about where he got to and where we are now.

I make the other point, too, which some people raised, in particular the member for Bragg. This is not an issue about people not being covered: this is an issue about whether there is a presumption that they are going to be compensated, which the compensating authority has to reverse. It is not a question about them having no cover at all.

I want to place on the record three questions that I have for the opposition. In fact, I have just thought of a fourth. First, assuming you were fortunate enough to be chosen by the people of South Australia to form a government in March of next year, what exactly is your policy in detail in relation to this? Secondly, what is—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.R. RAU:** —the cost to the state budget of your proposal as moved? The third question is: if you do not know what the cost of your proposal as moved is to the state budget, is that not a pretty irresponsible position for a would-be government to bring in to this chamber, where you are moving amendments to a government bill, which will have an impact on the Treasury—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.R. RAU:** —and you cannot tell us what the impact of this will be?

*Ms Chapman interjecting:*

**The Hon. J.R. RAU:** The member for Bragg interjects that I can't tell the house. The member for Bragg is quite right, because these amendments were filed at 12:29pm on 12 September and I do not as yet have an actuarial report on the impact this change would have. Can I tell you what I do know? These are some facts. As at the 2012 annual report, which was utilised by the actuaries in relation to this, there were—and you can write these down if you like—887 career firefighters, 226 retained firefighters and there were 9,424 CFS volunteers. The past firefighters, that is those who left service or retired: 434 career firefighters, 1,265 retained firefighters and—get your pencil out—32,947 volunteer firefighters.

In relation to this matter, there are a range of costings in the documentation. What we have—and we will make all of this available between the houses—

**Ms Chapman:** Why not now?

**The Hon. J.R. RAU:** I can give you this now, but it does not help us with yours because we do not know what yours is going to cost yet. I can tell you this: the annual cost in relation to—

**Mr Pederick:** So you didn't cost it to see what it would cost?

**The DEPUTY SPEAKER:** Order!

**The Hon. J.R. RAU:** It's your proposal, member for Hammond, for God's sake. It's your proposal.

**Mr Pederick:** You're discriminatory.

**The Hon. J.R. RAU:** What, discriminating against silly people for not costing their proposals? I don't think so. Anyway, the annual cost of claims for career firefighters, including the retained firefighters—and this is important: the retained firefighters have to have a certain number of callouts before they qualify—

**Mr Pengilly:** So what's your point? They're all firefighters, John.

**Ms Chapman:** No excuse.

**The DEPUTY SPEAKER:** Order!

**The Hon. J.R. RAU:** Oh, for God's sake! I will start again. I am trying to explain this. If you—

*Ms Chapman interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.R. RAU:** —read it afterwards, it will make sense. The annual cost for career firefighters, including the retained, who have a certain number of callouts—not just for periods but a certain number of callouts—is \$2.58 million. That is the effect of the bill. I can tell you this: if CFS firefighters were conservatively included, according to the material I have here, on one particular set of assumptions we are talking about \$24.95 million additional. There is another set of assumptions here which say, and I quote:

We have estimated the maximum annual cost of cancer claims for the CFS to be \$36.2 million with—

**Ms Chapman:** Who's 'we'?

**The Hon. J.R. RAU:** The actuaries.

**Ms CHAPMAN:** Point of order, Mr Deputy Speaker.

**The DEPUTY SPEAKER:** Point of order.

**Ms CHAPMAN:** If the Attorney is referring to a report or material I ask him to table the report.

**The Hon. J.R. RAU:** I am happy to give you the material—

**Ms CHAPMAN:** Good.

**The Hon. J.R. RAU:** —but can I finish explaining it? I told you I would give you that before, for goodness sake. I will start the quote again:

We have estimated the maximum annual cost of cancer claims for the CFS to be \$36.2 million with qualifying periods and \$84.8 million without qualifying periods. The above estimate can be seen as a maximum cost as it assumes that—

and then it goes on. What I am saying to members here is this: my colleague the Minister for Emergency Services has attempted to find a situation whereby, in effect, the CFS would accept that they could be brought within this umbrella on the same basic set of criteria as the retained firefighters and there has not been an agreement to that proposal. They have said, 'That is not good enough.'

What I say to the members is this: first of all, on this side of the house there is no prejudice against the CFS. We agree with the general principle that like should be treated alike, but alike is not alike simply because somebody has the word firefighter as part of their name or part of their job description.

There are some CFS people who act, I am sure, a lot of the time in ways that is very difficult to separate from the way MFS people operate, and many of them would be in the peri-urban area and they probably attend similar sort of fires to the fires that the MFS people would attend. Nobody on this side of the house wishes to say that those people, if they are suffering similar exposures to MFS people who are doing similar work, should be in any way disadvantaged by reason of them simply being in the CFS and not the MFS. You do not have an argument with us about that.

The issue is about simply roping everybody who is in the CFS ever—their numbers are, I remind you, currently 9,424 and past 32,947—without any reference to what sort of exposure they have had and number of attendances and say, 'All of you automatically go in.'

If you do that, members of the opposition, I would like you to make it very clear that you intend to do that and that you do so acknowledging the cost to the taxpayer of that and that part of your proposal—your manifesto in March of next year—will be to include however many tens of millions that is in your budget document that you produce for the people of South Australia. If you are prepared to do that and you are prepared to rope everybody in without further consideration, that is fine. You are entitled to pursue that course and we will hold you to account for that.

My suggestion is that we proceed with the matter as it presently is here, the present bill. My ministerial colleague the Minister for Emergency Services—who has been here throughout this debate and takes an active interest in this matter—and I are both happy between the houses to talk to people about this. I am happy to try and get a costing on the member for MacKillop's proposal and if it turns out that that is something we can accommodate within responsible budgetary constraints we will take that matter to cabinet and we will seek a decision about that matter.

But at the moment, because we do not know how much the member for MacKillop's proposal would cost—and we don't; we will find out, but presently we don't—it would be an irresponsible thing for us to accept something uncostered with no indication of the effect from a budgetary perspective. The smaller the impact of this, I can say to the members of the opposition, the greater the chance is that there will be some resolution possible between the houses.

Bill read a second time.

*[Sitting extended beyond 22:00 on motion of Hon. J.R. Rau]*

In committee.

**The CHAIR:** My advice is that we postpone clause 1 because the amendment is dependent on subsequent amendments.

Consideration of clause 1 deferred.

Clauses 2 and 3 passed.

Clause 4.

**Mr WILLIAMS:** I move:

Amendment No 2 [Williams-1]—

Page 3, lines 6 and 7 [clause 4(3), inserted subsection (2a)(c)]—Delete 'by the South Australian Metropolitan Fire Service ("SAMFS")'

The minister's summing up of the second reading was quite interesting. He gave us some figures and some information which the opposition has not had access to previously. This bill has been around for a long time. As I said earlier in my second reading contribution, the government signalled it was moving this way almost 12 months ago, the bill was listed for debate several weeks ago and we now find ourselves here, late in the evening, when, suddenly, the government comes forth with this information. It may have been helpful if the government came and sought to negotiate with the opposition at an earlier point.

The opposition accepts the issue that the minister raised with regard to the differences between a retained firefighter in the MFS and a full-time MFS operative. If the minister recalls a very brief conversation we had earlier in the evening, I was alluding to that same sort of structure with regard to the opposition's desire to have CFS recognised in a not dissimilar way to MFS.

We have not argued that every member of the CFS should have automatic cover. Just like I believe it is the government's intention to have regulations which would make some sort of distinction between retained firefighters and full-time operatives, we would accept that the exact same sort of criteria should relate to CFS volunteers. However, we are not prepared to accept that this bill go through the parliament giving this cover to MFS operatives with the idea that at some stage, somewhere in the future, there may be some successful negotiation to bring the CFS on board.

It is our belief that if this parliament sees that there is a wrong that needs to be righted, which we accept in the case the minister put—that we all accept that this is an issue that must be addressed—we are arguing that it must be addressed for everybody who faces exposure. We do not accept that one group that faces exposure should be dealt with today and others who face a not dissimilar exposure, as we have been arguing, will be put off to some time in the future.

We believe that we need to address the problem for everybody who faces exposure, even though the level of exposure or the risk may vary. The minister has already indicated that there will be a distinction between retained firefighters and full-time firefighters within the MFS, and that is what we expected, and we expect a similar sort of ranking would be made for CFS volunteers. The fact that the Minister for Emergency Services, at this stage, has been unable to come up with a formula or an agreed position with the CFS, we accept.

However, what we are saying is, 'Go and do the work,' because we are going to stick to our guns on this one. We are not going to accept a position where one group of firefighters is disadvantaged and left on the never-never. I have moved the amendment, and I implore the government to accept this position because, as I said earlier, it is my very strong belief that this is the reality that will come out of the other place. You will be faced with this reality, so let's get on with it and fix it now.

**The Hon. J.R. RAU:** I need to emphasise again that I do not think there is a great deal of difference in principle between what the member for MacKillop is putting and what the Minister for Emergency Services and I have been trying to communicate to the parliament about this matter. I say again that he has spent an enormous amount of time attempting to find a consensus position on this.

What everyone in this room needs to accept is that it may be, as between the parliament and the CFS, there is no consensus position. It may well be that the parliament has to actually make a decision which, although it will treat like people with like people, will not satisfy all the demands or aspirations of the CFS. We remain open, and I say again on the *Hansard* that both the Minister for Emergency Services and I remain open to having a conversation about that between the houses.

I also say that we will be opposing these amendments but, for the reason I said before, they are uncosted and we have not, as yet, had a proper opportunity to fully explore every alternative. If we were to accept these amendments now, we would be accepting something uncosted and we would eliminate the possibility of getting perhaps a better outcome, which is what we all want—I think we all agree on that.

Can I just add another matter as a 'by the way'. The honourable member mentioned the possibility of dealing with regulations. Just as much as he is certain that the other place may have a view something like this, I am pretty certain that the other place, and in particular one gentleman well known to him, has a particular view about regulations. It would be a departure from his normal behaviour and theirs if they suddenly became enamoured of a regulation to solve these problems. Usually their attitude is, 'We want to see it in the bill.' If the member for MacKillop has worked out a

way of solving that problem up there I want to have a chat to him after parliament gets up tonight because I would love to know the secret of getting that one communicated effectively up there.

We are opposing these amendments at this time in this place purely for technical reasons, not—and I emphasise this—because we are saying that we have given up on this issue, not because we are saying that we have some 'apartheid mentality', I think the histrionic term was, not for that reason at all, but because, at this point in time, we cannot be satisfied that this is the best way of delivering the outcome which I believe all of us are basically trying to achieve, and we also do not know what this particular model would cost. For those reasons and those reasons alone, we oppose it at the moment.

**Dr McFETRIDGE:** On this particular amendment including the CFS volunteers, the amendment is quite specific in that it includes all firefighters. The letter to the Minister for Emergency Services from the CFS Volunteers Association stated:

The CFSVA has been directed by CFS volunteers to seek equality for all firefighters and therefore views the inclusion of only the 800 volunteers who meet the exposure quota as unacceptable. The current legislation offers protection to all firefighters equally, however the 'average exposures' proposal for the Presumptive Legislation would create a tiered system which excludes the majority of CFS volunteers.

The letter goes on to state:

The precarious and unknown nature of firefighting and the potential exposure CFS volunteer firefighters face each time they respond to an emergency; placing their lives and the future of their family at jeopardy cannot be compromised.

The committee divided on the amendment:

AYES (14)

Brock, G.G.	Chapman, V.A.	Evans, I.F.
Gardner, J.A.W.	McFetridge, D.	Pederick, A.S.
Pegler, D.W.	Pengilly, M.	Pisoni, D.G.
Redmond, I.M.	Sanderson, R.	van Holst Pellekaan, D.C.
Venning, I.H.	Williams, M.R. (teller)	

NOES (19)

Atkinson, M.J.	Bedford, F.E.	Bignell, L.W.K.
Breuer, L.R.	Close, S.E.	Conlon, P.F.
Fox, C.C.	Geraghty, R.K.	Hill, J.D.
Key, S.W.	Koutsantonis, A.	O'Brien, M.F.
Odenwalder, L.K.	Piccolo, A.	Rau, J.R. (teller)
Sibbons, A.J.	Snelling, J.J.	Thompson, M.G.
Vlahos, L.A.		

PAIRS (12)

Marshall, S.S.	Weatherill, J.W.
Hamilton-Smith, M.L.J.	Rankine, J.M.
Griffiths, S.P.	Kenyon, T.R.
Goldsworthy, M.R.	Bettison, Z.L.
Treloar, P.A.	Caica, P.
Whetstone, T.J.	Portolesi, G.

Majority of 5 for the noes.

Amendment negated; clause thus passed.

Remaining clauses (4 and 5), schedule and title passed.

Clause 1 passed.

Bill reported without amendment.

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (22:13):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

### **CHILD SEX OFFENDERS REGISTRATION (MISCELLANEOUS) AMENDMENT 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. Clause 19, page 10, lines 34 to 37 [clause 19, inserted section 20A and Note following it]—

Leave out all words in these lines and substitute:

that contact to the Commissioner within 2 days of such contact occurring.

No. 2. Clause 36, page 18, line 3 [clause 36, heading to inserted Part 5A]—

Delete 'Modifications' and substitute:

Exemptions, modifications

No. 3. Clause 36, page 18, after line 4 [clause 36, inserted Part 5A]—Before inserted section 66A insert:

66AA—Interpretation

In this Part—

*reporting obligations* includes the obligation to provide information to a parent or guardian under section 66EA.

No. 4. Clause 36, page 18, lines 7 and 8 [clause 36, inserted section 66A(1)]—

Delete inserted subsection (1) and substitute:

(1) A registrable offender may apply to the Commissioner for a declaration—

(a) modifying his or her reporting obligations; or

(b) exempting him or her from the operation of Part 5 or specified provisions of Part 5 (either generally or in respect of specified classes of child-related work).

No. 5. Clause 36, page 19, after line 39 [clause 36, inserted section 66C]—After subsection (4) insert:

(5) The Commissioner must give a registrable offender written notice as soon as practicable after a declaration exempting the offender from the operation of Part 5, or specified provisions of Part 5, is made, varied or revoked.

Note—

See also section 48(2)(g) in relation to the giving of notice in respect of declarations relating to reporting obligations

No. 6. Clause 36, page 21, line 8 [clause 36, inserted section 66DA(4)]—Delete 'under this Part'

No. 7. Clause 37, page 24, after line 38—After inserted section 66E insert:

66EA—Information to be provided to parents and guardians

A registrable offender who—

(a) generally resides in the same household as that in which a child generally resides; or

(b) stays overnight in a household in which a child is also staying overnight,

must tell a parent or guardian of the child who generally resides in the same household as the child—

(c) that he or she is a registrable offender under this Act; and

(d) what the offence or offences were that resulted in him or her becoming a registrable offender.

Maximum penalty: \$25,000 or imprisonment for 5 years.

Consideration in committee of the Legislative Council's amendments.

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

That the Legislative Council's amendments be agreed to.

Motion carried.

At 22:15 the house adjourned until Wednesday 25 September 2013 at 11:00.