

HOUSE OF ASSEMBLY

Tuesday 29 October 2013

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

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

DEPUTY CLERK, ABSENCE

The SPEAKER: I inform the house of the absence of the Deputy Clerk (Mr Rick Crump), and I advise that the Clerk Assistant (Mr Paul Collett) will be Acting Deputy Clerk during his absence.

STATUTES AMENDMENT (SMART METERS) BILL

Adjourned debate on second reading.

(Continued from 11 September 2013.)

Mr HAMILTON-SMITH (Waite) (11:02): I rise to signal that the opposition will be supporting this very long-overdue measure. Of course, it comes after many years of Labor state government which have seen, since 2002, power bills rise extraordinarily year on year on year. There have been well over 135 per cent increases during a period in which inflation has been relatively modest. This government has handled energy poorly, and this measure before us today is an effort, in the 12th or 13th year of this tired Labor government's term in office, towards fixing the mess they have largely created.

It was introduced by the minister on 11 September. South Australia is the lead legislator for the National Energy Retail Law and the National Electricity Law. The South Australian government has introduced this bill as part of a key Standing Council on Energy and Resources (SCER) market reform initiative. This is not purely an initiative of this state government: this is an initiative of the SCER, and the minister and the government have been given the job of introducing it on behalf of the nation because we will be the lead legislator. It represents the initial legislative stage for the eventual widespread introduction of smart meters and related technologies, in our view.

Of course, we do not know if that is the view of the government, because the government has been relatively silent on whether it even has an energy policy at all at the moment. The last energy policy we saw from this government was back four years ago at the last election. Since then, we have bumbled along from year to year. There is no energy policy that we can see.

The opposition put its energy policy out a couple of weeks ago. We have staked our claim, but we still do not know whether the government intends to introduce smart meters or how it intends to do so. We have this bill, which is part of national arrangements, but this bill does not give us any indication as to what this government intends to do about smart meters. There have been hints on talkback radio that, 'Yes, well, this is something that we were going to do anyway'—whatever—but there has been nothing specific.

The SPEAKER: You are quoting someone then?

Mr HAMILTON-SMITH: No; I am generally describing events that I have listened to in the public space.

Mr Gardner: It's the vibe.

The SPEAKER: It's the vibe, says the member for Morialta.

Mr HAMILTON-SMITH: So, we are still very unclear on what the government's plans are. Currently, 99 per cent of South Australia's electricity households and businesses are fitted with accumulation meters that monitor overall usage. Retailers monitor overall usage on site at quarterly intervals. This old technology requires inspectors to visit properties to read meters and gives little visibility of usage. The old meters cannot be used to manage demand. The cost of this old technology, I understand, is around about \$50 per year and I understand that even now, as new residential developments are undertaken, we are still rolling out old technology meters—they might be digitised, but essentially dumb meters—as we speak.

So, we have not smartened up and come into the 21st century even yet. These old meters are inefficient, they see the need for millions and millions of dollars to be spent every year around the nation on going out to read meters, they do not provide timely indications to consumers of their usage and they are, essentially, extremely old and outdated technology. Smart meters digitally monitor usage at 30 minute intervals providing more detailed data to retailers and consumers on their real-time use of electricity. Regular monitoring of usage will empower the consumer as to the true nature of their electricity demands. A complete smart meter with remote monitoring technology is estimated to be, and there are various prices out there, in the order of about \$150 per unit, according to government advisers when I received my briefing, although I have heard of other higher estimates, depending on the type of meter, etc.

There are considerable benefits to smart meters, which is one of the reasons why we are not only supporting this bill but why we have come out with a policy, as an opposition, and said that we will support the installation of smart meters. Regular interval monitoring by smart meters allows for the introduction of voluntary time-sensitive pricing. This allows retail companies to offer variable prices, depending on the time of day and demands on energy networks. This would give customers an incentive to use their non-essential appliances at off-peak times and charge consumers for the true price of electricity generation and network use.

One of the principal reasons for SA's high power prices has been rapid peaks in demand, particularly as a result of air conditioning and reverse cycle heating, and this has been well debated over the years. This peakiness really does distort pricing and has an impact at the household and small business levels. High demand peaks require large investment in the capacity of the electricity networks to cope, with very few hours per year of extremely high demand. The Productivity Commission indicates that those costs could be as much as 25 per cent of what bill payers are handing over just to cope with that 30 to 40 hours a year of peakiness and to provide certainty of supply during that period.

A lot of consumers, if they were given the choice: would you rather have a 25 to 30 per cent reduction in your bill and a risk of brownouts, or would you rather have no risk of brownouts and pay 25 to 30 per cent more, might very well say, 'Well, I'll risk the brownouts, thank you. I will risk the odd blackout and I'll have the cheaper bill.' That is a point that was addressed fulsomely by the Productivity Commission. The cost of this rarely used network capacity is ultimately passed onto consumers, indirectly. Sharp increases in demand also require generators to rapidly ramp up production, which creates a higher wholesale spot price. These costs are also indirectly passed on to consumers by retailers, as I have mentioned.

Smart meters may be fitted with remote monitoring devices. This allows retailers to more efficiently monitor usage from a central hub without on-site readings, thereby lowering costs and reducing associated nuisances, such as locked gates. Smart meters may also be fitted with direct load control devices which allow the consumer or the retailer to directly or remotely turn off or on air-conditioning appliances at convenient times.

The Victorian experience of smart meter rollout is worth noting. In 2006, the Victorian government commenced a mandated rollout of smart meters by a single network distribution company. The measure attracted considerable negative response due to excessive up-front costs that were borne directly by consumers. The program was rushed by the government and led to significant market and pricing distortions. Despite significant errors in implementation, currently around 90 per cent of Victorian electricity consumers, I am advised, are monitored by smart meters. September saw the introduction of time-sensitive pricing which will see significant long-term savings being made in Victoria in future years.

That SA experience of course is quite different. After 12 years in office, state Labor has taken no action to implement smart meters, with less than 1 per cent of users fitted with the technology, mostly as part of trials. I have heard the minister claim that the government is conducting trials. Of course, that is not correct. SA Power Networks—a private company—is conducting trials. My understanding is that it has nothing to do with the government, but I will let the minister talk to that point when he responds.

SCER has resolved that future implementation of smart meters must be in a competitive market led by retailers, not a monopoly network company, and that they must be incremental. This has forced state Labor to do something. After 12 years of doing nothing, SCER—the standing council of energy ministers—has forced them to actually do something in the form of this bill. The cost-effective adoption of smart meters requires widespread adoption and steady implementation to minimise manufacture and installation costs, but of course we have heard nothing from the

government, as I have mentioned, about how they might deal with those issues and what their plan might be. South Australia is currently conducting smart meter trials in the northern suburbs assessing their effectiveness, as I have mentioned, and my discussions with stakeholders indicate that that is progressing well.

For all these reasons relative to the bill, the opposition has made its view on energy reform, and particularly its view on smart meters, very clear indeed. As I have mentioned, this measure comes before the house in the context of a 133 to 135 per cent increase in bills since 2002 while over the same time line, CPI has increased by just 36 per cent. Our bills have skyrocketed and struggling families and small businesses cannot endure these kinds of price increases any longer. Households need to be empowered to control their energy spend, and we must begin to fix the current problems in the regulatory system—the subject of another matter which I am looking forward to enormously immediately at the conclusion of this bill. Otherwise we will not get prices under control.

A particular challenge in the SA market, as I have mentioned, is the profile of our consumption and the peaks, particularly in the evenings at certain times of the year, but of course that peakiness moves depending on the weather and a range of other factors. The generation capacity in the South Australian grid is therefore constructed to meet this peak demand. There are equally long periods of time in the 24-hour cycle when its installed generating capacity is underutilised. If we cannot even out our consumption patterns more, then we can draw more of our usage in periods of lower cost per kilowatt hour and this reduces our reliance on expensive and unnecessary infrastructure in energy generation.

Consumers need to know more about their current electricity use. They must be given more choice in the marketplace from different energy packages from retailers so that they can understand what changes they can make in order to get their electricity costs down. That is why the opposition is of the view that we must embrace serious regulatory reform. This is the single biggest issue that is failing South Australian consumers. The fact that this government has sat on its hands for 12 years, the fact that not enough has been done over the last 12 years to streamline the regulatory arrangements to make them work, is the principal cause for our exorbitant increase in electricity prices.

Urgent reform of the regulatory arrangements is needed, and the Productivity Commission has made it perfectly clear: the reforms need to contain spiralling network costs and inefficiencies resulting from flaws in the regulatory environment. We need to resolve benchmarking and interconnector problems, we need to reduce so-called gold plating of infrastructure by modifying reliability requirements to promote efficiency, and we need to improve demand management, and that is where this bill and smart meters come in.

More efficient planning is needed for large transmission investments. There need to be changes to regulatory arrangements and network business ownership in certain other states that impact on us, better support and coordination with advocacy groups, and a review of the role of the Australian Energy Regulator, the Australian Energy Market Commission, and the Australian Energy Market Operator, with the object of increased powers for the regulator and better enforcement of the rules. In particular, we need new rules to crack down on market irregularities. That is the subject for another matter, so I am not going to dwell on it, but I make the point because it sets the context for this bill on smart meters. Unless we reform the regulatory environment smart meters will only be one small step in the right direction.

The other thing that we need—and the opposition have make this very clear in our policy—is monthly billing cycles. I was delighted this week to see retailers coming out and saying, 'Okay, then, we'll consider offering it; we'll offer monthly billing cycles.' It is very, very important in the opposition's opinion, because if we enable households and small businesses to regularly monitor their energy use and allow them to pay a monthly basis based on actual usage—not on estimation—then we empower them, we give them information.

The opposition has stated in its policy that we believe that process should be entirely at the discretion of the consumer. No consumer will have to make a change under a future Liberal government if they do not wish to. Monthly billing needs to be allowable on an actual basis rather than retailers predicting your consumption for the month. That is why this bill is going to be supported, because we need smart meters to enable actual usage. Consumers should be charged on their actual energy use, which is achieved where a smart meter is installed on the premises.

Monthly charges for actual energy use, as I have mentioned, will assist households and small business—let us not forget them—to balance their budgets. Monthly billing provides an alternative for small businesses and families who may find it much easier to manage the household budget by paying the power bill once a month instead of once per quarter. Quarterly bills can provide a real shock if consumption is higher than anticipated. Families currently have to budget for their energy bills every three months based in effect on guesswork, and that has to change. Monthly billing will give a better understanding of consumption on a more regular basis. If the family receives a monthly bill that is higher than usual, then they can alter their usage and avoid bill shock.

I would love to know the government's view on monthly bills. They are silent. They have no policy; it is a policy free zone over there. We have dream sheets—\$36 billion dream sheets—glossy brochures, policy by glossy brochure, but we have not even had a glossy brochure yet on energy. I am really disappointed. At least we could have a glossy brochure let alone something with some substance in it, but there is nothing but silence, only these bills that the minister is told by SCER to introduce because we are the lead legislator.

Monthly bills would be a new direction that would help consumers to better manage their household budget, better manage their usage habits, and allow for a more fluid marketplace. Telstra did it recently (not that long ago) with its billing arrangements when it went to monthly. It is particularly helpful for low income households because they can better manage their affairs. One aspect of facilitating the rollout of smart meters is the replacement of energy meters with new technology.

The house might be shocked to know that SA Power Networks each year replace anything up to 30,000 old electricity meters with new. The trouble is that they are not really new; they are just replacing old technology meters with more old technology meters. They might be digitised but they are not smart meters. This is a disgrace—30,000 meters every year being changed over. It is like buying 30,000 FJ Holdens and, when they wear out, buying another 30,000 FJ Holdens.

The world has changed. We live in a world of smart technology. We live in a world of mobile phones, iPads and computers. We live in a world where technology is increasing, driving everything we do, except for a very small group in the community: the Australian Labor Party. Apparently they like old meters. That is why over 99 per cent of South Australians still have this old technology in their homes while the rest of the world has moved forward. The next thing we know they will be banning iPhones and iPads and going back to the days of the knitting needle. That is where Labor wants to take us.

So what is Labor's policy on smart meters? Are they going to introduce them or not? How are they going to roll them out? Is it going to be using SA Power Networks? Are they going to allow retailers to do it? Will it be a combination of both? Will it be mandatory or voluntary? Just how are they going to make it work? Will there be an up-front charge or not? Will it be rolled into contracts? The opposition has answered all these question. We are out there; we have a policy. It is the government that is the policy-free zone. We have a bill but we have no policy. A bill with no policy—for heavens sake, we need a new government.

Importantly, the household or business under our plan will have control of the meter; they will own the meter, and no retailer will be able to use installation as a lever to try to keep the customer from switching to another retailer. What we are saying to retailers is, 'We'll let you monthly bill. As a result, consumers and small business will be advantaged.' However, to be fair, retailers will also be advantaged because they will get paid more regularly. They will get their bills paid monthly, there will be fewer defaults and few bill payers will need to be chased up for late payments, so they will get their cash in, and that is good for them.

I have met with all of the retailers. I have met with the Retailers Association. I have had dinner with all of them state and nationally. They all argue that they are keen and willing and prepared as retailers to get out and offer in a competitive marketplace smart meters to people with no up-front charge. They will roll it into the contract pricing and they argue that, with competition, that charge will be minimal. Now, let's see what the marketplace delivers, but at least we have done the work. At least we have spoken to the stakeholders. We have a policy out. We have a plan. I am waiting to hear the government's plan, because smart meters are in fact one of the keys. They are not as important as regulatory reform but, with monthly billing, the two go together as an important step towards demand management, which is what this bill is in effect about.

The installation of smart meters under our plan will be entirely voluntary and undertaken through electricity retailers and SA Power Networks, where appropriate. I imagine there will be occasions when retailers are not the right people to put in a meter. For example, if Hickinbotham or one of our other major developers are putting in a 2,000 household development, in all likelihood the developers will be engaging SA Power Networks to connect those houses up to the grid. It may well be in that instance that SA Power Networks is competing with others to put in those smart meters. So SA Power Networks will be a player and the retailers will be a player. It is all voluntary under our plan. No-one will be made to do it, but those who do will be empowered enormously to get their bills down.

Well into the 21st century these old technology meters are antiquated and at odds with current times and current developments and they also provide an unnecessary cost from electricity retailers to consumers. The old technology provides very limited data, making it almost impossible, as I have mentioned, for a family to understand when it is using energy and how they can shift consumption patterns to get costs down.

This is a very important point: we have the off-peak system at the moment with the hot water service hardwired to the meter so that you can run your hot water service off peak. However, you cannot do the ironing, use the washing machine, pool filter, or whatever other device you are running in the home in off-peak periods because you do not have a smart meter. Smart meters will enable you to do this. They will also allow consumers the opportunity to receive differential pricing, as I mentioned, on electricity usage based on different times of the day.

The Essential Services Commission of South Australia under our plan will be tasked to monitor and roll out smart meters and develop a framework to introduce differential pricing, as well as a consumer engagement strategy to encourage the take-up of more flexible models from retailers. So, we will keep the system honest.

Time-sensitive differential pricing will allow providers to take information of their customers' energy usage and offer tailored contracts to consumers to take advantage of low energy usage periods throughout the 24-hour cycle. This will reduce demand on infrastructure, and that is a good thing because our infrastructure, as I mentioned, is splitting at the seams during those peaky times and, as a consequence, is soaking up millions and millions of dollars of investment, which may or may not be necessary.

In the future, there is a high likelihood that smart meters will be able to communicate with appliances directly, as I mentioned earlier, and it would therefore be possible to have the smart meter start your washing machine once the market price gets below a certain level. It would equally be feasible to have your smart meter turn off your air conditioner if the rate got above a certain level, all on a voluntary basis under our plan and, of course, under a mysterious cloud under Labor's plan, which at this stage does not appear to exist.

Smart meters could even predict upcoming usage and communicate this through to retailers so that they can better predict their purchasing in the wholesale market and give longer demand signals to the market, allowing generators more predictability over generation peaks and troughs.

Finally, we are calling on the government to scrap the Residential Energy Efficiency Scheme (REES), which fits with this whole arrangement. It has run its course. The REES is poorly targeted and adds pressure to household energy bills. The Liberal Party will end the REES to immediately reduce the cost of energy for families by as much as \$14 per annum. I cannot find anyone defending the REES. Even SACOSS and those groups working with the needy are not defending this scheme. It has run its course. Door snakes, light bulbs and energy efficiency kits—MPs have had them delivered to our offices. It has been a waste not of the taxpayers' money but of consumers' money because it has been added onto their bill. Let's scrap that scheme.

This bill is fine. This bill is good. We will be supporting it. What is missing are the other key elements of a cogent energy policy around this bill that make sense for consumers, because the Labor state government is a policy-free zone. They have lots of glossy brochures but, when it comes to substance, there is not a great deal. They have lost sight of the need to act at all times in the best interests of consumers, small businesses and particularly low-income families.

I will address some of the things that have been said about smart meters by the Productivity Commission. In its April 2013 report into Electricity Network Regulatory Frameworks, the Productivity Commission argued strongly for smart meters. On page 19, it stated:

Realistically, consumers cannot be charged time-based prices unless they, (along with network businesses and retailers), receive real-time information about usage patterns. Smart meters enable the measurement of electricity consumption over time and can achieve other (sizeable) operational efficiencies in networks, such as remote meter reading and fault detection.

The Commission's preferred approach is that, like other expenditure, distribution businesses would be able to include smart meter rollouts as part of their regulatory proposals to the AER (subject to the usual oversight by the AER of the claimed need for, and efficiency of, the expenditures proposed by network businesses). Currently, the Rules effectively preclude this. As for other expenditure under incentive regulation, in the ensuing regulatory period, the businesses would be free to determine the number, timing and location of smart meters. However, under the Regulatory Investment Test for Distribution, network businesses undertaking any significant rollout (or other large-scale investment) would have to produce a report that substantiated whether the investments passed a cost-benefit test. Incentive arrangements intended to address the wider efficiency gains of demand management in other parts of the energy supply chain would need to be strengthened.

Smart meters should be subject to an appropriate, preferably international, minimum standard that allows interoperability with add-on technologies. All relevant parties would be able to access data, subject to privacy laws. Retailers and third parties (given prior customer agreement) would also be able to install smart meters, make modular additions to existing smart meters, and develop complementary technologies (such as in-home displays and software apps) that help reduce people's bills, while also relieving pressure on the network and generation at peak times. Retailers and third parties may choose to do this to differentiate their business proposition from competitors and make it more appealing to consumers.

That is what the Productivity Commission says about smart meters, and it is a ringing endorsement of the state Liberals' policy on smart meters. We are yet to have a policy from the Labor Party. When we do, we will see how it measures up against the Productivity Commission's report.

The parliament needs to be aware, and South Australians need to be aware, that the Productivity Commission has strongly endorsed the use of smart meters. I do not know why the state Labor government is so lacking in courage on this issue. I do not know why, when we announced it a few weeks ago that if we formed government we would introduce them, they were not out there loudly supporting our initiative. The minister was positively sheepish and sort of half-hearted about it: 'Well, yeah, we sort of—you know, that's what we want to do, but we're not quite sure how or when.' When I read the transcript, it is great.

There is a little bit of criticism of this measure, and there has been some in the media. One of the arguments is that there is a public health hazard, and claims have been made that if you fit these smart meters to your home, you might electrify the brain or develop some horrible cancer. The argument is that there might be some technological problem. The Productivity Commission has found that you could save up to \$200 a year by putting a smart meter into your home, but the opponents are saying, 'Well, you'll be electrified if you do.' It is similar to the arguments when mobile phones were first introduced.

Claims have been made that some international organisations—I think the World Health Organisation—have made statements to the effect that smart meters are not safe. Well, I have checked that out. I do not think that is true. I do not think that is correct at all. I am looking at a report on smart meters and whether they are dangerous by Jonathan Borwein, Laureate Professor of Mathematics at the University of Newcastle. In an online piece, he deals with many of these issues and calls for a discussion of the matter based on the facts. He says:

...smart meters worldwide use conventional cell phone networks to transmit their data. In the largest study conducted so far, researchers in Denmark found no increased risk of brain tumours from long-term usage of cell phones.

So, even the mobile phone is safe as houses, and this technology, smart meters, which uses the same technology and by the way is not attached to your ear (it is out in the meter box), is the same technology. It is quite safe. 'But even if some minute health risk was ultimately found for heavy cell phone usage, microwave exposure from smart meters is only a microscopic fraction,' Professor Borwein says in his report. He further states:

Smart meters only transmit data for roughly 1.4 seconds per day, at very low wattage. According to B.C. Hydro in Canada: 'Exposure to radio frequency during a 20-year life span of a smart meter is equivalent to the exposure during a single 30-minute cell phone call.'

So where is this evidence that cell phones are somehow dangerous to one's health? It seems not to be substantiated by the facts anywhere. Professor Borwein continues:

In any event, it strikes the present authors that the proponents of the anti-smart meter movement are, at the least, being highly inconsistent. If they truly believe their health is at risk from microwave exposure via smart meter broadcasts, they should immediately cease using cell phones (including smart phones and iPads), and should not permit anyone to carry or use such a device on their property.

In effect, this article goes on to say that there is no scientific basis anywhere in the world to support the argument that smart meters present any health risk whatsoever. If that is not enough, there are plenty of other sources that can be used in regard to examining whether there is any evidence in the writings on electromagnetic fields and public health to support the argument that smart phones are a risk.

The fact is there is no evidence, and if there is any evidence I would like people to explain where it is. I now read from an article entitled 'Base stations and wireless technologies: backgrounder' dated May 2006 which is in regard to the World Health Organisation which some have claimed has made some sort of statement to the effect that smart meters are a risk. It states:

WHO, through the International EMF Project, has established a programme to monitor the EMF scientific literature, to evaluate the health effects from exposure to EMF in the range from 0 to 300 GHz, to provide advice about possible EMF hazards and to identify suitable mitigation measures. Following extensive international reviews, the International EMF project has promoted research to fill gaps in knowledge. In response national governments and research institutes have funded over \$250 million in EMF research over the past 10 years.

While no health effects are expected from exposure to RF fields from base stations and wireless networks, research is still being promoted by WHO to determine whether there are any health consequences from higher RF exposures from mobile devices.

Essentially, there is no evidence but, if there is, if someone could bring it to the parliament the opposition would be delighted to read it. Those going out there banging a drum saying that these smart meters are somehow a risk to anyone's health need to stump up the facts—we need to see the evidence.

I also make reference on this matter to an opinion piece that was offered publicly by Mr Matthew Warren, CEO of the Energy Supply Association. It is a very interesting read and it is worth the house's noting its content. It is an extract of an article that appeared in the *Adelaide Advertiser* on 22 October 2013. In response to the announcement of the opposition's policy that we would be supporting a voluntary rollout of smart meters by retailers, Mr Warren said:

Supposed experts have turned up on Adelaide's airwaves likening it to the Vietnam War, claiming the World Health Organisation has linked it with cancer (it hasn't), and that dubious government agencies are all trying to rip off battling SA households.

Smart meters aren't part of a government plot to control your energy use. A smart meter is nothing more, and nothing less, than a 21st century electricity meter. Comparing a smart meter to the old mechanical electricity meter is like comparing a computer with a typewriter or iTunes with a record player.

A smart meter can be read remotely, which is cheaper and easier than manual reading. It means consumers can be billed more frequently (if that's what they would prefer). It makes things like moving house faster and easier.

Smart meters can automatically report faults and outages. That means the problem can often be fixed before you get home. This isn't some radical new technology. Victoria recently completed a smart meter roll-out. The most common concern raised about smart meters is that they emit large amounts of electromagnetic radiation. They don't. The wireless signals they send and emit are a fraction of those that come from mobile phones, baby monitors and wireless internet.

The new meter will need to deliver savings greater than what it costs to install. That seems possible. The independent Productivity Commission estimates a cost of between \$50 and \$100 a year. These savings come from retailers offering deals that reflect the real cost of generating and distributing electricity at different times of day.

I want to stop the quote there to underline that very important point. These meters can be rolled out by the retailers and the costs of installing can be largely met within the context of the deals that will reflect the real cost of generating and distributing electricity at different times of the day rather than the estimated costs under the current regime. Mr Warren then goes on to say:

Use more energy when it's cheaper—and save on your bills. Appliances like pool pumps, dishwashers and washing machines can be easily switched on during off-peak times. SA has one of the highest penetration rates of renewable energy in the world. Technologies like wind and solar aren't always there when you need them. Smart meters can help the network manage these new supplies better.

Energy markets are transforming in front of our eyes—from smart meters to wind energy, solar power, batteries and even electric cars. It's important to discuss these changing technologies and how we can make sure they work for us. They're not problems. They're solutions.

I commend the article. This is a necessary measure. What is missing, though, is a policy from the government around this measure to explain what they have in mind to make it a reality. I want to address some remarks specifically to the bill, because it represents the initial legislative stage to enable the eventual widespread introduction of smart meters and related technologies around the country.

The bill establishes the rule-making mechanism by which a rollout of the smart meters can be established. The bill does not implement the full recommendations of the SCER process and is deliberately not overly prescriptive, given that different jurisdictions will seek to incentivise or encourage the adoption of smart meters in different manners; and Victoria, as I have mentioned, has already implemented its own scheme. The bill allows the South Australian Minister for Energy to implement the initial National Electricity Rules amendments to ensure that consumer protections are in place in early 2014.

I assume we are going to get a glossy brochure some time between now and the election—I can only hope so—with the 3D flyover. I can see it now. There will be a camera zooming over North Adelaide looking at somebody's smart meter, and zooming away. There will be little digital things going. I can see it now. There will be some guy in an SA Power Networks substation pressing buttons and they will say, 'We've got this great idea.' The only trouble the government has is that we have been out there making it our position for quite some time now. The rest of the country got with it months or years ago.

The Johnny-come-lately to all this is the government. Maybe it left it so that it could have another announcement in the lead-up to the election, but it would have been better for consumers if we had been here debating this bill two, three or four years ago, getting with the future. We should have been implementing a retail-driven rollout of smart meters years ago. It should have been done by the current minister's predecessor but it was not. At the very least, this minister should have immediately driven it the moment he stepped into the chair. We did not really need this bill in order to make it happen. Victoria proved that. They handled it poorly. I think we could have handled it much better. But there is no reason why the government could not have got moving on this a long, long time ago.

The bill, of course, also removes the power for the minister to issue a mandate for broadscale smart meter rollout determination as occurred in Victoria. In other words, it means that the minister cannot rule that SA Power Networks will go out and install these things and, by removing that power, it does incentivise retailers and frees up the market to get out there and compete with SA Power Networks to put these things in, and that is a measure that we welcome.

Of course, the minister could have signalled that a year or two ago. The government could have made it clear that it had no intention of doing that. We could have got moving on this a long time ago and we did not.

SCER has agreed that any future rollout of smart meters should be market-driven and competitive, exactly what the state Liberals have proposed, and which is supported by the Productivity Commission—market driven and competitive. We want to see the retailers and SA Power Networks out there offering these devices to people. By removing the minister's power to mandate rollout by SA Power Networks, the door is open for others to enter the market without that risk in prospect.

The bill retains, however, the ability of ministers to mandate limited trials or assessments, as is currently being conducted in the northern suburbs. The bill provides for some basic consumer protections, in particular: full tariff structure disclosure within billing rules and content; direct load control or supply capacity control measures that could be implemented by retailers who will require full consumer disclosure and consent included as part of the connection contract, and management of restoration of power in case of an emergency; and standing offers to smart meter consumers that may include prescribed tariff structures by the jurisdiction of regulators, all of which will be supported. We do not intend to try and amend the measure.

With regard to consultation, we note that SCER, as with most regulatory reforms, has ensured that the bill proceeded to substantial consultation and review after 2007. There is considerable consensus among the energy sector and consumers on the potential benefits of smart meters. That is why I am astounded that the government has not come up with a clear statement of position on this.

However, the management of implementation issues will require due diligence. Important issues that have been raised in this process include the following: the rollout of smart meters must be market based and competitive; second, consumer protections should be harmonised and simple; third, consumers must have the option between a flat tariff and flexible pricing; next, tools and resources are required to make use of smart meter data and independent price comparators must be available.

Provided those issues are dealt with there is no reason why we cannot get on with it. Although Labor has taken no action to facilitate smart meter rollout, this bill is an initial SCER measure to establish the harmonised national regulatory environment for a market-driven rollout of smart meters. So, it is here now. All we need is some action from the government.

The measures contained within the bill are modest and have been subjected to lengthy review and consultation since 2007. Smart meter technology offers considerable benefits for driving down peak demand and reducing the costs from network charges and peak demand energy generation.

In conclusion, the opposition is supporting the measure and encourages everyone to vote for it. The next step would need to be for a state government to simply get off its backside and do something, to take action, to incentivise retailers and SA Power Networks to get on with the job of rolling out this technology. It is sad that 90 per cent of householders in Victoria have it and we have virtually none, except those involved in a trial. There may be a need for further regulation, administrative action and the involvement of ESCOSA (which we would strongly encourage), but we simply need an indication from the government quite apart from this bill as to whether or not they actually have a plan to do anything.

Apart from this bill, which has been quietly brought into the parliament without a great deal of fanfare and without any accompanying policy statement—there has been no glossy brochure on this one—there has been silence from the government. Perhaps the minister can get up and announce the government's energy policy after other contributors have finished their remarks. With that contribution, I commend the bill to the house.

Mr PEDERICK (Hammond) (11:50): I rise to speak to the Statutes Amendment (Smart Meters) Bill 2013, and commend the speech by the member for Waite. I also commend his contribution and his work in developing our policy on smart meters and their benefits for the South Australian public if people choose to take them up. I note that this bill was introduced by the minister on 11 September this year (2013).

South Australia is the lead legislator with regard to national energy retail law and national electricity law, and so the government introduced this bill as part of a key standing council on energy and resources market reform initiative. The bill represents the initial legislative stage for the eventual widespread introduction of smart meters and related technology.

I note what the member for Waite was saying about how electricity is measured in this state; we use what is called 'accumulation meters', and retailers with these meters can only manage to monitor overall usage onsite at quarterly intervals. This old technology requires inspectors to visit properties to read meters and gives little visibility of usage, and these meters cannot be used to manage demand. It is noted that the cost of this old technology is around \$50 per user.

I note there are a lot of issues with some meters being read by meter readers. Generally, in the main, it can work very well, but sometimes there are occasions where estimated readings have to take place. For instance, if people do not have access to a meter for whatever reason (it could be behind a locked gate or around the back of the house and there is no access, and there are a couple of German shepherds in the way) the meter reader makes a recommendation for an estimated reading.

I can say from personal experience that estimated readings can be a fair way out. In the last 12 months or so we made the decision to go down the solar panel path at home on the farm, and put in a five-kilowatt system. We are on the single-wire return (the SWIR line), so that was the maximum that we could put in. The power provider made an estimated reading of our power bill and it was quite substantial. I thought, 'Well, we've got a good way to get around this,' because we had the actual meter reading from when the new input-output meter was put in by the company that put on the solar panels, and so we could easily contest their claim of a bill that was many, many hundreds of dollars out of range of where it should have been.

This has occurred at times when the people have had access, but I note that because there is a work order put in when something like solar panels goes on, as I indicated from my personal experience on the farm at Coomandook, instantly there is a reading taken. I was a bit stunned that there was an estimated reading, because the meter is quite accessible (it is probably 150 metres away from the house on a pine post), but that is what happened at the time.

Thankfully, we managed to deal with this, but certainly, with the high price of electricity in this state, you do have to be careful. I know many people and many businesses in my area can have bills well above \$700 and up to \$1,000 a quarter, and some are much higher than that. You do not have to be a very big operation to have bills of that size.

One thing that these smart meters will let happen is to make monthly billing accessible for consumers if they choose to take up the smart meter technology, so consumers will not have that bill shock. We have seen in this state over time more than a 250 per cent increase in water prices. We have seen a massive increase in power prices. We have seen different rates and taxes go up incredibly under this state Labor government and people are sick of it, quite frankly. It is a huge bill shock when some of these bills come in altogether, especially if they are quarterly bills that come in either at the same time or at a very similar time.

With regard to how these smart meters actually work, they digitally monitor the usage at 30-minute intervals, giving that real-time data in the use of the electricity. It will let the consumer, using real-time data, work out the true nature of their demands and when is the best time to use their appliances and some of their equipment, whether it is washing machines, dishwashers or other equipment that is not so time sensitive that they can be used at times when they can enjoy a lower electricity price. We note that a smart meter with the monitoring technology will probably cost somewhere in the range of \$150 to \$200 a unit, and note that it will be part of a competitive framework where power suppliers will have to use it as part of their sell to consumers and incorporate the price in a package so that people can decide whether they take up the smart meter technology or not.

In recent weeks, I have had some correspondence from one of my constituents at Goolwa who was a bit concerned about smart meters. He was concerned that they are quite possibly bad for your health and can lead to increased bills, but as we have heard here today there is not really a health issue with regard to the emissions from a smart meter. It is a regular but very brief signal and, as we heard from the member for Waite, it uses very similar technology to mobile phones for roughly 1.4 seconds per day at a very low wattage.

The World Health Organisation, in fact, has found that, 'considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak RF signals from base stations and wireless networks cause adverse health effects.' Certainly, from what we have heard and from what we understand, I would be very surprised if bills went up with the use of smart meters because people can monitor their use and use their appliances and equipment at times that suit them and to help sort out how their power usage works in their home and in their business. I gave the obvious response to this constituent, but he was being very firm saying, 'I, for one, do not want one and I want the choice to say no.'

On this side of the house we are certainly giving that choice and I think, from what I see, the bill gives that choice as well and I think that is a good idea because we are the party of choice on this side of the house and people can decide whether they want to install this technology so they can have the benefits of remote reading and they can have accurate readings done with these smart meters. If constituents like this person from Goolwa who said, 'Well, look, I have already put solar panels on. I am getting lower power costs. I am quite happy with where I am', then that is their democratic right if they do not think they want to go through with the installation of the technology.

It is always an issue with power demand, and especially in South Australia where we have a very high peaking power load. It has been an issue for many years, especially in summer. Obviously reverse cycle heating in the winter when it is cool is an issue. In summer there can be some very peaky demand slots in South Australia. We have had the weird situation in South Australia over time where different areas of the state, different suburbs in the city, etc. have had to be switched off at intervals because the peaking supply could not be guaranteed to keep everyone's air conditioners going.

I think about the way electricity was rolled out through the state. It came through urban areas a lot earlier than it got down to us at Coomandook. I think it came through our area in about 1966 and it was not that long ago. It has been a boon to have access to that generated power. It has been a real problem with this peaking power and I would like to think that, with the massive take-up of solar panel technology throughout the state, we do not have to go down that path of having to shut off different areas of the state at certain times when there is very peaky electricity demand.

Solar panels do not work at 100 per cent efficiency when it is very hot but they run reasonably efficiently on a hot day. They get overheated and cannot generate the full amount that they are rated at but with the amount that is in use in South Australia now, there would be quite a massive amount of energy that obviously does come online and go through the input/output meters at people's houses or industrial installations of solar panels.

It is interesting now that you have regulators talking about—and it was only in the media last week I think—how we have all these solar panels in place and they are a bit concerned that we do not have to send all this power down the line. Well, I guess you can't have it both ways. Obviously electricity is still going down the lines and I think we need the solar panels that we have implemented, whether it was with the initial scheme which I think was the 44¢ per kilowatt hour scheme or the 26¢ scheme which is the scheme at the minute which wound up in September but is still applicable for another two years, and that takes in about 9.8¢ of government rebate. It is a real boon for taking some of the sting out of the price of power. We have a range of technologies so that power is distributed throughout the state.

In regard to the rollout it is interesting that we are going to a system here in this state where it can be individual choice. The Victorian government since 2006 commenced the mandated rollout and I think there were a few issues with that. The program was rushed and it caused some market and pricing distortions. At the moment we understand that there is about 90 per cent of Victorian electricity consumers who are monitored by smart meters. In Victoria they have had time sensitive pricing which will see significant long-term savings being made in Victoria and I am hopeful that with the introduction of this bill, if it comes to an act, that we will see those benefits of time sensitive pricing come through to South Australia.

I note in the bill that initial rule changes will need to be made in implementing this system but then the minister will have no power to make further rules under the bill and rules can only be made on the recommendation of the Standing Council on Energy and Resources. As I indicated earlier the bill does not give the power to the minister to issue a mandate on a broad scale smart meter rollout, and the implementation of the smart meters should be market driven and competitive.

In regard to consumer protections for smart meters, some of these involve full tariff structure disclosure within billing rules and content; direct load control or supply capacity control measures, which can be implemented by retailers, will require full consumer disclosure and consent to be included as part of a connection contract and management and restoration of power in case of an emergency; and standing offers to smart meter consumers may include prescribed tariff structures by the jurisdiction or regulators.

As I indicated earlier, important issues that have come up since the consultation and review took place in 2007 are that the rollout of smart meters must be market-based and competitive; consumer protections should be harmonised and simple; consumers must have the option between a flat tariff and flexible pricing; tools and resources will be required to make use of smart meter data; and independent price comparators must be available.

I acknowledge that, if this bill goes through and becomes an act in the very near future, this would be a great way forward for people in this state who want to take up the option of smart meters. Certainly, one of the reasons I decided to put solar on my house was that the price of power has been getting ridiculously high.

Mr Venning interjecting:

Mr PEDERICK: I won't respond to the interjections from my colleagues, Mr Deputy Speaker. The price of power is a significant input cost in running the family home and all the costs involved in that. We know that many people now have a double income, and people are flat out paying their bills. Also, power cost for people running businesses can be huge. For major businesses, their power bills would be in the hundreds of thousands of dollars per quarter, and that is something else that has to be passed down the line to the consumers of products or goods those businesses supply to the public. So, anything that can reduce input costs, such as the introduction of smart meters, would be a great thing for the state.

The thing I do like about this is that it is not mandated that these smart meters be installed. As my constituent at Goolwa has indicated to me, he wants the right not to have it—and he has stated that very firmly in his correspondence to me and my office—and that is great. He is happy to get a reduced power price by installing solar panels; he has already made that contribution.

Another interesting line is that there is always talk about people who do not have solar paying for the people with solar getting cheaper power. What is forgotten many times in that debate is that people do have to put in the funding in the initial stages, and with the 44¢ rebate that came in initially it could have been \$20,000 for a five kilowatt system and obviously more for a bigger system.

So, there have been big expenditures made by people installing solar power, but I do understand the argument, to a degree, that people without solar are helping pay for it. I must say that it should, in my mind, remove the need to switch off either areas of the city or the country when we do have that peaking power demand South Australia is so famous for. With those few remarks, I commend the bill to the house and also show my support for it.

Mr WHETSTONE (Chaffey) (12:09): I, too, rise today to support the bill introduced by the Minister for Energy in September this year. South Australia has been a lead legislator for the National Energy Retail Law and National Electricity Law, and I am pleased to be able to support the bill which represents an initial step for the eventual widespread introduction of the use of smart meters and related technologies. It is a welcome relief to finally see the state Labor government doing something about this issue because after 12 years in government it has failed to take any action to implement smart meters, despite the widely recognised benefits of the technology.

At the moment, as some of my colleagues have already said, 99 per cent of households and businesses using electricity in South Australia are using the old bakelite accumulation meter. This type of meter measures overall usage. It is largely dated technology and it puts extensive burdens on the cost of having those meters read.

In the electorate of Chaffey there are a lot of particularly small irrigators; there are a lot of medium-size irrigators and there are some large irrigators. Over time I have watched the meter reader, come down the track through the property in order to access and read the meters on my properties—particularly on the river. Even if it is only 100 metres or 500 metres away—or in some cases a bit further—that meter reader has to go back out onto the main road and then enter the next property, and it takes considerable time for them to get down there to read the meter. That is at a significant cost to retailers and that cost is obviously passed on down the line. Physically visiting the properties to read meters also gives very little visibility of usage and, quite simply, the old meters cannot be used to manage the demand.

Smart meters will make life dramatically easier for electricity providers and consumers. The meters will digitally monitor the usage at about 30-minute intervals and provide more detailed, accurate and up-to-date data for retailers and consumers. Really, that is what it is about today: it is about having the edge or being able to find efficiencies within power usage.

The people of Chaffey have been significantly impacted by drought and water was one of the big issues for a number of years. However, gradually now with the rising cost of power—with high demand in hotter times, when everyone wants their air conditioning on and everyone is using power at a premium—we are having significant issues with brownouts, as the member for Waite has said and, in some cases, we have lines that are switched off when we have significant overload, I guess you would call it, on that particular line.

There are a lot of issues around smart meters, but it is like looking at the older technology of a Badger water meter. If we look at today's technology and what we are trying to achieve, we are now seeing the mag meters that are being introduced to measure water consumption. I think that reflects looking at smart meters and being able to remotely observe what is happening with power prices—it is a little bit like the mag meters. In today's world, an irrigator does not have to trudge down to their pump shed to look at their water meter. Nowadays, an irrigator sits in their office and can read what their power usage is and what their water usage is.

Many of today's technologies—and I will reflect again on the mag meters—can tell the irrigator if they have a burst main or if they are using excessive amounts of water because that will come up with an alarm. It is much like the smart meter, using that technology and monitoring to enable us to knock off the inaccuracies or other issues.

Along the way, in my experience of pumping quite significant amounts water, a service has come out of Victoria called UtiliCor. It is now in South Australia under the name Progressive Green. That service is offered to potentially larger pumpers, larger irrigators, who are using quite significant amounts of power. To put that into context, I have irrigators who in some instances are using in excess of \$3 million worth of power each year. A medium irrigator uses potentially between \$150,000 to \$250,000 worth of power a year to pump water. Of course, we have smaller irrigators,

from very small properties and with less power consumption, up to average irrigators, who would be using around \$50,000 to \$80,000 worth of power a year.

It shows the significant rise in the cost of power, the significant technology they are using nowadays, and to become competitive and water efficient we are now using more drip irrigation, more monitoring and more technology for when we actually water plants. It is of course when we have usage in the middle of the day—high demand is normally around heat. The technology is about watering a plant when it needs to be watered, so when they are using the high amount of power, when everyone else wants to keep cool in offices, when everyone else wants to maintain a lifestyle and keep comfortable, that conflicts with what irrigators are using when it comes to watering their crops.

Again, the retailers can introduce the voluntary time-sensitive pricing, but Progressive Green is giving a service to notify irrigators of when they see spikes coming in the prices of power. I have had my own experience, but I have irrigators who come to me and tell me that about 2¢ to 7¢ a kilowatt hour is a buy-in price. A lot of irrigators nowadays are not signing contracts but playing the market. This Progressive Green monitoring service normally gives them about a 24-hour notice of price spikes, because again it can vary from 2¢ to 7¢ a kilowatt hour, and in some cases irrigators are paying up to \$10 a kilowatt hour.

If you look at the comparison between the 2¢ to 7¢ up to \$10 (which does not happen very often), they are some of the impacts. With technology, watering plants when they need to be watered in the middle of the day, this service tells them that there is a spike on its way and allows them to make a decision. It allows them to say, 'I'm not prepared to keep my pump going and paying exorbitant prices for power.' It gives them the option to be well informed and the option to install a diesel, and when the price of power is out of the realm of reality they can turn off their electric motors and start up their diesel pumps. It gives them an opportunity.

The smart meters can be monitored and have that service to allow them the option to turn off or turn on. That is something that has to be a part of today's world to keep us price competitive because, again, I hear too often from my constituents who have irrigation properties in South Australia and in Victoria, and they look at the price of power and the options they have in Victoria versus South Australia—because that is what they do—and Victoria is running rings around what we are provided with here in South Australia.

It is of real concern that we have to deal with old technology, but it is great to see that finally we have the government on board to look at smart meters. Also, these smart meters being fitted with the remote monitoring devices means that not only does it help drive down the price of power on your overall bill but also allows you to know that potentially you are entering a peak demand phase, and you can make informed decisions on exactly how you will address that.

Moving on from there, I guess what I am trying to really get across here is that, potentially for my constituents, we have to be competitive. We have to embrace these efficiency gains so that we can actually grow a product and be competitive with our neighbours in Victoria because, essentially, we are all going into those domestic markets, and the price of power now is having a significant impact on the bottom line of a grower's business.

Whether we are going into a domestic market or whether we are going into these ever-emerging export markets, we have to be able to drive efficiencies. Whether they are efficiencies within our own business, in managing the business, or whether it is being informed to know exactly when the peak price of power is coming at us, we need to know that so that we can actually make good, informed decisions, and that is where I think the smart meters really are going to play a significant part.

This current Labor government has been out of touch with the ever-increasing cost of living and the pressures that all South Australians are facing as a result of the electricity prices. I have heard a number of significant players—irrigators and water businesses—in my electorate saying that, once we get the basin plan in place and once we actually get to look at some reform around water, the next big issue will be the price of power.

The smart meter is a way in which we can initially address the price of power and be informed on the high use of power. As I said, for big irrigators using in excess of \$3 million of power a year, every smaller increase in the cost of power is a huge drag on their bottom line. Of course, those medium irrigators are now being severely impacted on. Most of the medium irrigators are, I would say, large family farms, so that is playing on their bottom line. Whether or not the cost of power takes the edge off their bottom line, it is having a significant impact.

Just as important are the small irrigators—the family farmers—who are there working away, trying to drive efficiencies and trying to be cost competitive in a very competitive marketplace. They need to have those options as well, so the smart meter is something that needs to be addressed. With the cost of living pressures and the cost of running a small business, we need to have efficiency gains, and I think the smart meters will do that.

In closing, I must note that I was sitting here in this chamber, and I noticed that the member for Waite asked minister Koutsantonis (Minister for Energy) a question about the price of power. The minister said that the actual price of power had decreased by 9 to 18 per cent. Sadly, he had to be corrected by the Essential Services Commission, which pointed out that the average household market offers price had increased by \$64 since 31 January. It really is something that the minister has been slow to act on, and for him to say that the price of power had actually decreased shows that he is not across what the real world is experiencing. With that contribution, I support the bill and commend it to the house.

Mr VENNING (Schubert) (12:23): Having only nine days left, I will take every opportunity to raise matters like this. I rise to support this bill and appreciate it will have support from both sides of the house. I also note that we, as lead legislators on this issue, have been asked by the standing council of ministers to bring this in here, so that is the reason for our joint support. I commend the member for Waite (the shadow minister) on his very good presentation this morning and for outlining our position very clearly and strongly. We certainly await the minister's response, for whom I have some respect, as to how he will get himself out of this.

The Hon. A. Koutsantonis interjecting:

Mr VENNING: I'm sure I'll get paid out for that one. I have always been a very strong supporter of the issues in relation to this, particularly the technology that we are using to meter our power, the device that sets out the bills and how much we are going to pay, commonly known as accumulation meters. I very much support the changes because the current meters cannot be used to manage the demand. I have been looking at this for many years. We, as a family, have installed a large solar array system and it is interesting to note the power usage when you get your bills. We do not really have control and we do not know what is happening as it goes through. Even though we have the large solar array, I would still welcome the capacity to have that smart meter.

The old meters are what we call dumb meters. I cannot understand how they are still rolling them out. We should not be making old technology available to people. But, as the minister will tell you, we should not force anybody to have them; I can read his mind. We are not going to make it mandatory, but I am sure that once people live with them they will see it is worth the few dollars they will cost. The current meters are inefficient and they do not provide consumers with any information, that is why when they get these bills they are quite shocked. Smart meters provide real-time use of electricity.

We support the installation of smart meters, as the member for Waite has said, which pick up very clearly the rapid peaks in demand which have caused the high increase in our power prices. This came home to me when I inspected the diesel generator set at Angaston: 12 massive diesel generators that are only switched on on peak days—I think it is 1,000 per cent extra when they start those motors up. They only have to run for a few hours a year to pay for themselves. They are privately run and they come on on peak demand and, as I said, it is hugely expensive when they do. Peak power, this is when the big bills come in: 12 massive generators with a huge thirst, so much so that when they are using them there is a fuel tanker outside all the time filling up the tanks—they have not done all that many hours.

We need to level out the highs and the lows of our electricity consumption. When it is cheap we ought to be encouraged to plug in, anything we can use electricity-wise when there is the low tariff, anything that you can hold off or carryover to a peak day. Many farmers have generators on their farms and there are generators all over the city, particularly in our hospitals and other public utilities. I have said in this house for many years that it is sad to know that these generators are not utilised, only for the sake of emergencies. Why can't they be used on peak power demand days, as long as it does not put the hospital at any risk, and I do not believe it would or should? It is also good for those generators to get a run. They have to run them for an hour or two a year just to make sure that they are in serviceable condition so why not put them to active use and bring them onstream on those high days, again through a smart meter system?

It is the same thing with farmers: as well as the solar cells, we do have them at home. On very hot nights we are a part of the problem, part of the peak power cost crisis, when the solar cells

are not working and we are drawing peak power. With a smart meter we would turn on our diesel generator, if we had one—we do not have one yet, but we would be encouraged, if we had a smart meter, to fit one because it would not take you very long to pay for it if you were on a high demand at peak power. A smart meter would make it smart to switch off the grid and go for an alternative. If you could take the peaks off that it would certainly benefit you in the pocket.

Smart meter technology too, as I think the member for Chaffey said, is changing. Just having returned from China, you would be amazed at the technology that is coming out through the mobile phones now. As we have just heard, a lot of the technology within the smart meters is the same technology as within telephones, so it makes monitoring the smart meter very easy indeed. Not only do you have a monitoring panel in your home and you know, by looking at it, what sort of peak range you are in, whether you are in the maximum range and you should be doing something about it, even a quiet warning device telling you that you have just moved into the peak power range, or if you are at work your phone will do the same thing. In fact, technology is such that you can control the smart meter with your telephone.

Things are certainly moving quickly and this bill should have been before the house, as the member for Waite said, three or four years ago. In terms of the cost demand, it is very important that we give people these opportunities. Also, smart meters will be able to be controlled from any other device. We have appreciated the monthly billing cycles in this bill but, as the member said, I think that is an option people can take depending on how their finances stack up and we have made that an open-ended policy.

We came out with this policy two weeks ago and I have just read it, because I was not here. I have it here in front of me. I am very impressed with the presentation and I again commend the shadow minister for that. I just ask the premier-elect, the minister, when he stands up to espouse to us what the policy is. Certainly he is looking pretty good at the moment, because everybody else is falling away, but he stands there strong and resolute and he will push the policy.

We support this bill. We are asked and told to introduce this, as I said earlier, as the nation's head legislator by a direction of the standing council. At this point in time, most unusually, I have to declare an interest in this matter: my son is in the senior management of SA Power Networks. He has not been for very long and, can I say, he certainly enjoys his job. I am very impressed by what I have learned from him talking about what he does at work. Looking at their management processes, I am very impressed by the dynamism and the professionalism of their young people. I am very pleased about that.

I certainly support scrapping the residential efficiency scheme. It will reduce costs to all families. It really is a mickey mouse attempt. I was here in the house when it was brought in and I joined in and did what I could, but I thought at the time that it was a very soft way of addressing a serious problem. We support this, so I will now—because I think I am the last speaker—ask the minister: what is the government policy? We have made our policy quite clear. We support the smart meters but we will not force that on anybody and it will be completely voluntary. It is a great move but it is coming far too late.

Mr PEGLER (Mount Gambier) (12:32): I rise to support this smart meters bill particularly because it is a voluntary initiative. I think it is a great initiative to perhaps help those many struggling families and businesses out there that are now paying exorbitant costs in electricity prices. These prices have gone up mainly because of the carbon tax and the solar feed-in tariff scheme etc., and of course the electricity companies are making a lot of money. We did once own those companies and unfortunately they were sold by previous governments. If you have a look at today, if we still owned those companies, this state would be in a much better financial position.

The smart meters and monthly bills, I think, are a great initiative, in that people will be able to see what their consumption of power is at different times and how much power is consumed by different things they have within their households and within their businesses. They will be able to monitor their power in a much better way. Monthly billing, particularly, is there all the time whereas at the moment with three-monthly billing, people can be using power over that three months and probably not find up for about four months that all of a sudden they have this massive bill because they were going through a heap more power than they realised.

It will also have a benefit to the power companies themselves in that they will be able to take out a lot of those spikes in consumption because consumers will be using power in a much better way so that their consumption will be much more in line with the production from the power companies.

The one problem I do have with this bill, though, is that I do not think it is going to help many of those poor families out there who are struggling very much to pay their electricity bills now and particularly those people living in rental accommodation. They will not have the capital to put in these smart meters, and often the landlords will not be putting them in either, so those people will not be the beneficiaries of this, and they are probably the ones that are struggling the most.

I certainly support the bill, but I think we should be looking in a much better way at how we can help those families that are struggling to pay the exorbitant electricity bills that they currently have. Thank you.

The Hon. R.B. SUCH (Fisher) (12:35): I support this bill. I think it is appropriate that the smart meter provisions are not mandatory, as has happened in Victoria, with a significant downside to the practice there. What we need, probably more than smart meters, is a smart electricity system. Currently, I believe consumers in South Australia are being gouged, ripped off (whatever phrase you want to use), because in effect we have what are close to monopolies running the system. I know the minister has tried to bring about some changes, which could result in lower electricity prices, and I would urge him to keep doing that, but currently we are paying a lot more for electricity than we should.

We have had cheaper electricity offered through some of the off-peak tariffs. I think the member for Chaffey talked about the irrigators. We have the night-time off-peak, which has traditionally been for people who had an electric hot water service, usually in their roof. There is no reason why that type of concept could not be extended to other times during the week; weekends in particular.

There has been criticism that the system has had a lot of so-called gold plating, over-engineered distribution. Members may have seen *Four Corners* last night, which focused on the cause of many bushfires as being the inadequately maintained electricity infrastructure. I think we have to be careful about advocating for substandard maintenance or old equipment. New equipment should be installed so that not only do you reduce the risk of bushfires but you also get greater efficiency in transmission.

As the member for Mount Gambier has pointed out, this measure (smart meters) may not help everyone in the community. There will be people who are often living in tight circumstances, renting and so on, who may not get any benefit out of this opportunity, and they are the people who need the greatest help.

I support this bill. I think it is a good initiative, but I renew my call for the minister to push vigorously to get greater reforms into the whole network so that the current high prices for electricity can be lowered over time.

We have noticed that in Australia there has been a reduction in the consumption of electricity in recent years, but we still do not have a system which delivers electricity at prices that it should. We have some of the highest electricity prices in the world. I think that is the issue that should be addressed in a smart way, to make sure we have generation capacity, appropriate distribution networks, and that electricity is sold at a price which is realistic and fair, and not the current system that makes life very difficult for a lot of people.

Mr BROCK (Frome) (12:39): I also rise to speak on this bill. I certainly will be supporting the bill, as it applies in a voluntary manner. It has been very evident from speakers on this side of the house, including my fellow Independent colleagues on my left-hand side, that this is going to assist some people to manage—and I say 'only manage'—their expenditure on the cost of power. We must remember, Mr Deputy Speaker, that the cost of power will still be, over a period of time, the same unless these people start to use power in times of best opportunity.

I will just relate my own personal experience. Like many on this side of the house, we have solar panels, so we are able to manage our power costs. My partner has a hairdressing salon and she has a habit of always leaving power points on when they are not being utilised. My office gives kits to residents to be able to manage how much power is being utilised when power points are on. I think that is one of the biggest issues we have. We have power coming from power points and, if you have double adapters connected, you are still using standby power. I think that is what we have to get through to our residents.

The member for Chaffey has already indicated that he has citrus growers pumping water, etc. The electorate of Frome is no different; we have grape growers in the Clare Valley. The biggest challenge we have is not only the cost of electricity, but also the exorbitant cost of water in

the electorate of Frome because we have industrial users. Whilst this is a separate subject, the cost of water is another area we need to look at, because our local councils are finding it very hard to manage the cost of not only their electricity but also their water.

I think the member for Schubert mentioned that the current technology is certainly outdated; it has been there for many years. With the exception of a couple of power suppliers just recently supplying bills on a monthly basis, you usually get them every three or four months. By that time you have already used the power and whether or not it has been efficiently used, you still have to pay that bill.

Even though these smart meters are voluntary, I will certainly be promoting them once this bill gets through and the system comes into place. I will be encouraging my constituents to look at that opportunity and try to prove that this is a way of being able to use power at the most opportune time. Whether it is a freezer, a washing machine, or whatever it may be, people should manage and utilise their appliances at the best opportunity.

The member for Fisher has also indicated that the use of power across South Australia has reduced dramatically, but the cost itself has continued to rise, and that is a big issue in this state. The biggest thing this state ever did was to sell some of our essential services, and the Electricity Trust was one of those. We are never going to get them back. Unfortunately, the grain facility is going the same way. We are now getting away from co-ops and we are having monopolies. We have deregulated power in South Australia. Power suppliers in South Australia, as I understand, have been deregulated, so there is plenty of opportunity there. I encourage my constituents to look at every opportunity.

In Port Pirie, for argument's sake, we have 13 power suppliers that we are able to utilise. I encourage my constituents to use those suppliers and put them against each other to get the best price, but I will also be pushing very strongly for these smart meters. However, regarding the cost of power—and I am looking to the minister again—I think that the federal side is not deregulated. There is no deregulation, so again there is a monopoly there.

Consumers certainly need to know now how much power they are using on a daily basis and when is the best time to use it, and certainly not get a bill in three or four months' time. I will be supporting this bill, but I think this state needs to actually look at new ways to assess people in need, whether it is industries, but certainly pensioners in particular, people on fixed incomes, because they are really struggling at the moment. I think that is an issue that both sides of the house here needs to take into consideration. We need to work cooperatively to ensure that we get the best costs and systems for those less fortunate people out there and also to encourage more industries to come here.

As the member for Mount Gambier has indicated, this is not going to help everybody. However, I will certainly be supporting this bill. I will be encouraging my constituents to look at smart meters, pointing out the benefits that could be available to them. Once this happens, I will be one of the first to install a smart meter at my house to show people how it can be done. However, again, we need to look at ways of reducing the cost of power full stop. I commend the bill to the house.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (12:44): First of all, I thank members who have made contributions to this bill. I think this is an important reform that the Standing Council on Energy and Resources ministers were reluctant to pursue. The reason they were reluctant to pursue it was the experience in Victoria. I think it is fair to say that smart meters are a controversial topic. I listened with intent to the shadow minister for energy's contribution when he lamented 30,000 metres per year being changed and them not being rolled out to new smart meters.

This policy will allow people to maintain their old meters. I assume what he was saying in his remarks is that, if he were the minister for energy, he would compel people to put a smart meter in their homes if they were changing their meter or building a new development. That is very different from the policy that he released. I welcome that he has released a policy on energy. I think that is a good thing and we will have more to say about that policy very soon, and then I will thank him personally.

I think it is fair to say that when a government gets criticised for introducing notice of a bill before your opponents release a policy asking you to do exactly what it is you have put in the bill, it is really a compliment. Fancy being criticised for not having done this sooner. I have looked back at

the member for Waite's remarks before he released his policy calling on me to bring in smart meters and I found no evidence of it at all. When the government deregulated electricity pricing in this state, the first thing that the opposition said was that we should have done it sooner. So, I went and checked and, of course, there were no calls for us to deregulate before we did it. Now it is the same.

I also note that we have submitted rule changes on behalf of the standing council. Officials have submitted a rule change request to the AEMC, which seeks to implement a competitive rollout of smart meters—retailers, distributors or registered third parties. That is why I am doing this. That is why I said I was doing this. So, it is disingenuous in the extreme for members opposite to say that we have no policy when we have a bill before the parliament. Who is going to take you seriously when you say that? We are actually here voting on a bill to take away my powers to roll out smart meters so that we can have a competitive market on smart meters, and he says, 'Where is your policy on it?' We are about to vote on it. How much clearer can we be?

Mr Hamilton-Smith: Policy, you galah! How are you going to roll them out? Is it going to be retailers or SA Power Networks?

The DEPUTY SPEAKER: Order! The minister has the call.

The Hon. A. KOUTSANTONIS: I sat and listened quietly to the member for Waite but, of course, given his short temper, he is unable to do the same for others. He is about to go bright red, which is—

Mr Hamilton-Smith interjecting:

The Hon. A. KOUTSANTONIS: Here it comes. Pink first and then red. As I said earlier, we have already submitted the rule change to allow third parties—SA Power Networks or distributors—to roll out a competitive rollout of smart meters. As soon as I say that he asks, 'Well, what's your policy?' What, other than a competitive rollout? Other than removing my ability to mandate smart meters and create a market, what is your policy? Is that seriously your argument? If it is, I do not think you understand the market, because no-one is going to set up a business selling smart meters while I have the power to intervene and compel everyone else to use another smart meter, hence the bill you are voting on. But, again, I suppose this is all a bit too much for the shadow minister. I am glad that he is so supportive of our policy that he is going to support the bill through its entire stages, and I look forward to it passing in the upper house.

I will say that the SCER has worked very cooperatively on this, and former minister Martin Ferguson deserves a lot of the credit for this. There was a lot of opposition, especially from the Victorian government. Their position was one that was based, quite frankly, on good science. Their view was that smart meters had been rolled out compulsorily in Victoria and that was a bad thing, and I agree with Michael O'Brien, the now Treasurer of Victoria. I think that was a mistake. I understand it continues to roll out like that in Victoria, and I think that is a mistake. They are moving to a voluntary system, which I think would be a good thing, because the worst part about the rollout of smart meters in Victoria is that a very good technology has been completely turned on by commentators and by people who do not necessarily understand the impacts smart meters can have.

I will say this, though: smart meters are not the solution; they are just part of the puzzle. Smart meters also have extra costs that the current so-called 'dumb meters' do not. Do not forget that there will be a communications package to go with all these smart meters, so while the costs may be relatively cheap, there will still be the required SIM and communications package, which could exceed the costs of the collection of data from the accumulation meters. I would not necessarily say that the opposition's policy will actually reduce the cost of collection of data. It will certainly give people more information and give them more ability to control their use and know what they are doing, but it does not necessarily mean it will be cheaper. That is the mix we have to get right.

As I have said, I do not want to see a mandatory rollout of these meters. I do not want to see people who want to maintain their accumulation meters being forced to take smart meters, unlike the shadow minister in his remarks being so disappointed that there were 30,000 of these accumulation meters being rolled out in new developments per year. I am not going to tell a single developer that he needs to roll out smart meters, but what I am going to do is create a competitive market where people can choose and give the consumer a choice.

I am not going to mandate anyone to do anything on this matter, and in fact, just recently, people who have introduced smart meters into their homes in the trial have asked to go back to the accumulation meters, and I have signed exemptions allowing them to do so. I do not agree with the shadow minister on that and I think it is important that we give consumers choice.

I am concerned about some regional areas where there is not the ability to have communications. There are some rural and remote communities where there is no mobile service coverage where there is on-grid power. That will be a very big concern. We have to work out exactly how we do that, whether we have a rollout of a hard-wired connection to some sort of facility a bit further up where there is mobile service coverage. That could be very expensive.

Obviously, we will have to do some work, and I will flag to the department that we need to do some work about that, because we do not want to have regional consumers who want to take up smart meters not being able to simply because they do not have mobile phone coverage where their meter boxes are. So, we have to work out a way, whether we can use a static landline or some other—

Mr Whetstone interjecting:

The Hon. A. KOUTSANTONIS: Or satellite, of course, but we have to make sure that the cost of that communications package does not exceed any benefit you get from the rollout of smart meters. What we also do not want people who want to maintain their old accumulation meters being disadvantaged and basically sent to a point where you must switch because it becomes so cost prohibitive to remain on an accumulation meter and you have to roll out and spend the \$100 to \$200 to buy a new meter. I think it is very important that we get the mix right.

Despite all the politics of what the shadow minister was trying to introduce here, saying 'Too little, too late,' despite never having called for it before, and despite him putting it in his policy well after I had tabled it in the parliament—and I also note his performance on FIVEaa in regard to trying to sell this, and I encourage all members to read the transcript. It is one of his finest performances, I think. I think it is a true representation of his political skills, right there on display on FIVEaa. It was a really impressive piece of transcript. I thought it was very impressive the way he was able to be comprehensively clean-bowled by Leon Byner.

Electricity is a very controversial subject and the SCER process is a very difficult one because there are entrenched biases within the SCER process. Those biases are from our Eastern States colleagues (whether they be Labor or Liberal) and the government-owned assets of Queensland and New South Wales. They protect their consumer advantage very well and that consumer advantage is to profit from other consumers and maintain the profitability of their own assets. They use regulations and the national electricity law to their advantage to benefit their own taxpayers.

It was very difficult to get this reform through the SCER because there was a lot of opposition, as indeed there was with the other bill coming up concerning the Limited Merits Review, which was not supported by a majority of the conservative states until last-minute lobbying convinced them otherwise. When we get to that bill I want to thank the personal efforts of the new Minister for Energy in Victoria, the Hon. Nicholas Kotsiras, who is a very close friend of mine and a very good minister. He is someone who has replaced a very competent minister—they are big shoes to fill—Michael O'Brien.

Michael O'Brien knows his stuff and is a rising star within the Napthine government. He is someone who will probably lead the Liberal Party in Victoria one day and he had some very strong views on the national electricity market, the role of the Australian Energy Regulator, the way a national competition should work, and about where the AER should be located. He is someone who I definitely listen to and take a lot of advice from.

I encourage the shadow minister to go over and meet Michael O'Brien if he has not done so already—and I am sure he has. He can probably teach the opposition a thing or two about how to operate in a deregulated market, which is probably a new world for them. I am not quite sure how they respond to market-driven policies given that they are all agrarian socialists, so I look forward to them entering the 21st century.

I also note the way that the shadow minister mocked people who had concerns about the health impacts of smart meters. I do not believe there are health impacts arising from smart meters but I am not going to mock people who think there are. I think people's diverse views on these issues should be respected rather than laughed at and ridiculed within parliament.

I also note with interest the work that Leon Byner has done on FIVEaa to promote some of the alternative views on these issues, and I think those views should be considered and listened to, and not mocked in the way the shadow minister has. With those few remarks, I thank my staff for the work that they have done and I commend the bill to the house.

Bill read a second time.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (12:58): I move:

That this bill be now read a third time.

Mr HAMILTON-SMITH (Waite) (12:58): I am going to use the next two minutes to just clarify something with the minister.

The Hon. A. Koutsantonis interjecting:

Mr HAMILTON-SMITH: We will see. The minister again repeated in his remarks that, in regard to the Limited Merits Review, Coalition ministers had opposed the measure. Is that still his view? Minister? Right, well the minister accused me on radio this morning of having made dishonest comments. I foreshadow to him now that I take offence at those remarks and that unless there is an apology made within 48 hours, he will be hearing from me more formally.

I have contacted each of the Coalition ministers since his comments this morning to ascertain their position, and I suggest he does the same, particularly in regard to Victoria. The Victorian government advocated for the changes and the regulatory regime to get better outcomes for consumers and was 'a leader in pushing for the changes'.

The same has been said by minister Macfarlane's office, minister Chris Hartcher's office, minister Nicholas Kotsiras' office in Victoria, and in minister McArdle's comments. I believe the comments made by the minister this morning that the Limited Merits Review was opposed by the Coalition states are untruthful. I suggest he checks it. They all voted for it unanimously. There was a consensus view. They believe they have advocated for it.

I can tell him that I take considerable offence at his assertion that my saying that they supported these measures was dishonest. You have 48 hours. I suggest you consider an apology. I think 891 would be the appropriate place to make it, because that is where you made that statement. It is actionable. Minister, you just have to stop it. You just have to say things that are true, stop abusing people, make points that are—

The Hon. A. KOUTSANTONIS: Point of order, sir. The member has accused me of being dishonest. I say: do it through a substantive motion or withdraw.

The DEPUTY SPEAKER: Can the member withdraw the comment about being dishonest?

Mr HAMILTON-SMITH: Certainly. I am more than happy to withdraw any offence, and I suggest the minister does the same on 891 radio. You cannot assert that Coalition ministers opposed a reform measure when they have all told me this morning that they supported it and they voted for it, and then make an actionable statement that I have said something dishonest by asserting that they supported these changes. The facts are that they did.

You are wrong factually. I suggest you check your facts. Ring the ministers on the SCER. You have got it wrong. I would ask you to do the decent thing and withdraw those remarks. You raced into it this morning, you raced out of a breakfast and you did it again—you led with your chin. You are wrong. You had better clarify it and do the right thing. I always try to do so, and I suggest you do as well. It is in the interests of public debate to do so.

The Hon. A. KOUTSANTONIS: First and foremost, if I have caused the member any offence, I apologise. Secondly—

Mr Hamilton-Smith interjecting:

The Hon. A. KOUTSANTONIS: I'm doing it in the parliament. Secondly, I lobbied intensely to change the minds of members on that SCER, so it is dishonest to say that I did not attempt to get this Limited Merits Review up. Indeed—

Mr Hamilton-Smith interjecting:

The Hon. A. KOUTSANTONIS: Yes, you did say that. Indeed—

Mr HAMILTON-SMITH: Point of order, Mr Speaker. I made no such assertion. I am sure the minister worked very hard on that. But, then, again, he has just repeated the offence. I just ask you to withdraw it. There is no need to make these sorts of assertions, minister. You made statements on 891 and I suggest you withdraw them on 891.

Bill read a third time and passed.

[Sitting suspended from 13:02 to 14:00]

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

His Excellency the Governor's Deputy intimated the Governor's assent to the bill.

NOT-FOR-PROFIT SECTOR FREEDOM TO ADVOCATE BILL

His Excellency the Governor's Deputy intimated the Governor's assent to the bill.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) (NO. 2) BILL

His Excellency the Governor's Deputy intimated the Governor's assent to the bill.

ELECTORAL (MISCELLANEOUS) AMENDMENT BILL

His Excellency the Governor's Deputy intimated the Governor's assent to the bill.

STATUTES AMENDMENT (POLICE) BILL

His Excellency the Governor's Deputy intimated the Governor's assent to the bill.

EVIDENCE (DISCREDITABLE CONDUCT) AMENDMENT BILL

His Excellency the Governor's Deputy intimated the Governor's assent to the bill.

ELECTORAL (FUNDING, EXPENDITURE AND DISCLOSURE) AMENDMENT BILL

His Excellency the Governor's Deputy intimated the Governor's assent to the bill.

PAPERS

The following papers were laid on the table:

By the Speaker—

Auditor-General—Agency audit reports Supplementary Report October 2013
Local Government Annual Reports—District Council of Cleve Annual Report 2012-13

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

Regulations made under the following Acts—
Trans-Tasman Mutual Recognition (South Australia)—Temporary Exemptions—
Synthetic Drugs

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

Public Prosecutions, Director of—Annual Report 2012-13
Regulations made under the following Acts—
Community Titles—Pre-sold Lots—Deposit and Contract Money
Listening and Surveillance Devices—Records and Warrants

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

WorkCover Ombudsman SA—Annual Report 2012-13
Regulations made under the following Acts—
Construction Industry Long Service Leave—Services

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

Regulations made under the following Acts—

Liquor Licensing—Dry Areas—Elizabeth Area 1

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

Regulations made under the following Acts—
Education and Care Services National Law—Amendment Regulations 2013

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

Architectural Practice Board of South Australia—Annual Report 2012-13

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

Distribution Lessor Corporation—Annual Report 2012-13
Generation Lessor Corporation—Annual Report 2012-13
Local Government Finance Authority of South Australia—Annual Report 2012-13
Motor Accident Commission—Annual Report 2012-13
SA Lotteries—Annual Report 2012-13
Super SA Board—Annual Report 2012-13
Super SA Select—Annual Report 2012-13
Superannuation Funds Management Corporation of South Australia (Funds SA)—Annual Report 2012-13
Transmission Lessor Corporation—Annual Report 2012-13

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

South Australia Police—Annual Report 2012-13

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

Fire and Emergency Services Act 2005—Review of

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

Manufacturing, Innovation, Trade, Resources and Energy, Department for—
Annual Report 2012-13

By the Minister Assisting the Minister for the Arts (Hon. C.C. Fox)—

Adelaide Festival Centre—Annual Report 2012-13
Adelaide Festival Corporation—Annual Report 2012-13
Adelaide Film Festival—Annual Report 2012-13
Art Gallery of South Australia—Annual Report 2012-13
Australian Children's Performing Arts Company (Windmill Theatre)—
Annual Report 2012-13
Disability Information and Resource Centre Inc—Annual Report 2012-13
History Trust of South Australia—Annual Report 2012-13
JamFactory Contemporary Craft and Design Inc—Annual Report 2012-13
Libraries Board of South Australia—Annual Report 2012-13
South Australian Museum Board—Annual Report 2012-13
State Opera of South Australia—Annual Report 2012-13
State Theatre Company of South Australia—Annual Report 2012-13

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

Adelaide Convention Centre—Annual Report 2012-13
Adelaide Entertainment Centre—Annual Report 2012-13
Dog and Cat Management Board—Annual Report 2012-13
South Australian Motor Sport Board—Annual Report 2012-13
South Australian Tourism Commission—Annual Report 2012-13
Technical Regulator—Plumbing—Annual Report 2012-13
Vulkathunha-Gammon Ranges National Park Co-management Board—Annual Report 2012-13
Witjira National Park Co-management Board—Annual Report 2012-13

INNER CITY REVITALISATION

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:05): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: Modern capital cities compete in a global market for the most talented people and highly innovative businesses they work in. The high quality of South Australia's secondary and tertiary education means the best and brightest South Australians are in high demand across the world. Our graduates can easily get a job in Sydney or Melbourne, or London, San Francisco or Shanghai.

To keep talented South Australians here and to attract talented workers from elsewhere, Adelaide needs to be a city that delivers the sort of cultural and lifestyle experience that they demand. This is a lifestyle that is driven by the benefits of medium-density living like more walkable neighbourhoods; a broader variety of restaurants, bars and shops; and shorter commuting times. This is one of the objectives behind our Housing in the City policy, in which we outline our government's plans to build on the city planning reforms we introduced last year and the transport plan we released last week to increase housing in our inner city.

This is part of our vision for a new Adelaide: an Adelaide that is vibrant, cultured, creative and open for business; an Adelaide where trams return to our streets, where our expansive Parklands become the backyards of a new generation of inner city residents, and where people can live close to the places they work and catch up with their friends.

Members interjecting:

The Hon. J.W. WEATHERILL: To make this happen, we are rezoning selected inner city areas so new homes, restaurants and shops can be built.

Mr Marshall: Ashford?

The Hon. J.W. WEATHERILL: We are extending our stamp duty concession for off-the-plan apartment purchases to the areas being rezoned.

Members interjecting:

The SPEAKER: Premier, could you be seated for a moment? I call the members for Finniss and Morialta, the deputy leader and the leader to order, and I warn them all for the first time for repeated interjecting. Premier.

The Hon. J.W. WEATHERILL: Thank you, Mr Speaker. For people living centrally, it will make it more viable to create the new public transport options we have outlined in the transport plan, including trams that loop the city, with spurs to the suburbs north, south, east and west, that will travel past the front doors of homes on our newly-zoned corridors. Importantly, we have listened to community views and we will make sure there is a strong focus on good design that complements the attractive housing for which our city is renowned.

We will engage those we want to keep—smart young people who are seeking new opportunities to get a start in their hometown and who want to live close to their work. As our policy notes, we have more than halved our annual loss of people to other states from the mid-1990s, from when those opposite were in power, but there is more work to do.

Mr Gardner: The mid-1990s!

The Hon. J.W. WEATHERILL: We will also engage with older South Australians looking for easy-to-maintain homes in inner city locations as their larger homes empty out. Mr Speaker, I am excited about the opportunities ahead for our city. There are currently 63 projects, with an approximate value of \$6.1 billion, either under construction, approved, or being considered.

Soon, we will watch cricket and AFL at our newly-developed Adelaide Oval; new small bars and venues are opening their doors; we are setting up new places where entrepreneurs can collaborate; and the Riverbank precinct is set to become a hub for entertainment, sport, culture and excitement. This next step—to open up more inner city housing options—will give even more South Australians a chance to live, work and play in and around the city, helping us to build a stronger South Australia.

The SPEAKER: I warn the member for Morialta for the second and final time.

PUBLIC WORKS COMMITTEE

Mr SIBBONS (Mitchell) (14:13): I bring up the 488th report of the committee, entitled 'Bolivar Wastewater Treatment Plant, Primary Grit, Pre-Aeration and Sedimentation Tanks Concrete Rehabilitation Project No. C1467'.

Report received and ordered to be published.

QUESTION TIME**TAXES AND CHARGES**

Mr MARSHALL (Norwood—Leader of the Opposition) (14:14): My question is to the Premier. Will the government commit to no new taxes or levies if re-elected in March 2014?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:14): Yes.

TAXES AND CHARGES

Mr MARSHALL (Norwood—Leader of the Opposition) (14:15): Supplementary: can the people of South Australia believe you when you say this, given that you promised a \$25 million payroll tax relief at the last election, only to cancel it after the election?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:15): Yes, they can believe it—

Mrs Redmond: On what basis?

The Hon. J.W. WEATHERILL: —and it was fully implemented. Unfortunately, it was rorted, and so we reconsidered it and put in place another regime.

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

TAXES AND CHARGES

Mr MARSHALL (Norwood—Leader of the Opposition) (14:15): Does the Premier agree with Budget Paper 3, page 54, which indicates that South Australia is the highest-taxed state in the commonwealth—in Australia, sorry?

The SPEAKER: Commonwealth of Australia. Premier.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:15): Of course, taxation raises revenue, and revenue is used to spend on services. I can also point out that we have the highest number of nurses per capita in the nation, the highest number of doctors per capita in the nation, the highest number of police per capita in the nation, the lowest waiting times for emergency surgery in the nation in terms of our emergency waiting times, the best elective surgery waiting list times in the nation—that's what you do with revenue that you raise from taxation.

I noticed that when the opposition leader was, in his very simplistic policy, throwing money at the business sector with his payroll tax relief he did suggest that payroll tax was amongst the highest in the nation; in fact, it's not. In terms of payroll tax, we actually have the third-best payroll tax regime in the nation. The reason we chose that tax—because we have actually, in fact, increased the thresholds there and, indeed, reduced the rates—is because we—

Mr Marshall interjecting:

The Hon. J.W. WEATHERILL: Well, in terms of tax effort, if you go to the Commonwealth Grants Commission, we rank third.

Mr Marshall interjecting:

The Hon. J.W. WEATHERILL: If you just read the Commonwealth Grants Commission, you would be informed that we have the third-lowest tax effort in the nation in relation to payroll tax. So, to choose payroll tax as the tax to focus your attention on and say that that is the largest tax take in the nation is simply wrong. What it demonstrates is the poverty of the policy work that goes into the preparation of material by those opposite—the simplistic, lazy policy formulation process that throws up the tripe we saw on the weekend.

The SPEAKER: I would remind the Premier that he and the government are not responsible for the opposition's policies, although the tone of the question did invite that kind of out of order reply.

VISITORS

The SPEAKER: Before I call the leader, I would like to welcome to parliament the Firlie Stake Young Adults, who are guests of the Hon. Dennis Hood; The Reserve Lifestyle Village, who are guests of the member for Fisher; the Sunrise Christian School Paradise Campus, who are guests of the member for Morialta; and St Francis de Sales College, who are guests of the member for Kavel.

QUESTION TIME

TAXES AND CHARGES

Mr MARSHALL (Norwood—Leader of the Opposition) (14:18): As a supplementary, given that the Premier used his time allocated to the last question to justify why we are the highest-taxed state in Australia, is he satisfied that that should remain the case going forward?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:19): I said nothing of the sort. Indeed, if one goes to the budget papers—in fact, on page 53 of the budget papers—in the per capita taxation by jurisdiction, you can see that South Australia ranks sixth amongst all of the states in terms of per capita taxation effort. It is quite opposite to the point that is being made by the Leader of the Opposition; in fact, the budget papers bear out a different proposition. We have chosen to make a very substantial relief in relation to our payroll tax; in fact, I think it is up to about \$200 million. We are using the taxation rates that we had when we came into government, namely your taxation rates for payroll tax. We have given \$200 million of taxation relief to the South Australian businesses of this state.

In addition to that, because of the particular circumstances of the South Australian economy now, we provided an additional payroll tax relief targeted at small business—temporary, limited in duration—because we wanted to provide that additional impetus at a time when the small business community were crying out for that support. We did not do it in a mindless way. We added to it a series of other measures, which, together with that payroll tax relief, would allow businesses to change, to grow, to do new things in new ways, which are at the heart of the transformation for the South Australian economy.

This is not just simply a matter of throwing money at businesses—large, small or enormous—which is what those opposite have chosen to do. They just simply have a cut across the board, which is poorly targeted, goes on for an extended period and, indeed, on my advice it exceeds well over \$100 million of payroll tax relief over the forward estimates. There is not a word about how that would be paid for except to send it to some unelected body which nobody yet knows the composition of, and they will somehow get back to us after the next election telling us which services they will cut—utterly undemocratic, utterly unacceptable.

Members interjecting:

Mr MARSHALL: Supplementary.

The SPEAKER: Leader, please be seated. Again, the Premier again has no responsibility for the policies of the opposition, and I ask him to circumscribe his answers on that point. I call the member for Unley to order for interjecting, and I warn the member for Heysen for the first time; she has barely paused for breath during the Premier's answers. Leader.

TAXES AND CHARGES

Mr MARSHALL (Norwood—Leader of the Opposition) (14:22): Sir, one area that the Premier does have responsibility for is his own statements that he has made in the press in recent weeks. Can he outline to the house how he is going to pay for his \$36 million infrastructure promises and his \$600 million health promises?

The Hon. J.M. Rankine interjecting:

The SPEAKER: Before the Premier rises, I call the Minister for Education to order for interjecting. Premier.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:23): We set this out at length in the public announcements that we made about the transport plan—the very well received transport plan, I might say. Could I at this juncture pay credit to the former minister for transport, the member for Elder, who put in place many of the measures that have permitted this plan to actually be possible to be imagined.

Frankly, the howls of criticism that greeted the member for Elder when he decided to reintroduce trams into the city were only eclipsed by the howls of criticism about how people could get on these trams because they became so popular within a few months of them being introduced; so that has created the opportunity for us to imagine the plan that we put in place last week.

This plan itself is about \$36 billion. If you project forward, after some appropriate adjustment for the fact that there has been recent stimulus in the transport sector, you get \$23 billion worth of investment together with the commonwealth over the next 30 years. We have also estimated that of that \$36 billion there would be a sum of \$7 billion which we could expect to come from the private sector because of their contributions to port and other infrastructure which is implicit within the plan. There is a \$6 billion gap between what we would project forward under appropriate assumptions and what we would expect as the sum that is implied by this new \$36 billion plan.

If you look at the plan, you will see that some of the projects on there are very ambitious. For instance, the undergrounding of the north-south electrified corridor. That itself is almost \$3 billion. That is a project which obviously would not be a project which would be done at an early time, but it does provide some idea of the sorts of choices that are available. Even if you take the present very low level of estimates that some people have made, half of the plan would be funded.

This underscores the importance of putting a plan in place to allow you to prioritise the sorts of projects that you might choose, to allow you to reserve the corridors, to allow people to make judgements about where they might make their developments, in the understanding that this is the long-term plan for the future of the state. I noted with great interest the remarks that were made by Mr Scrafton, the former head of transport, who said that this is a good idea. It has been widely accepted by the broader community. Why is it that the Liberal Party continues to adopt a negative stance in relation to such an important document?

Mr PENGILLY: Point of order.

The SPEAKER: Yes, point of order, member for Finniss.

Mr PENGILLY: The point of order is that the Premier is relating to Liberal Party policy again. I ask for your ruling.

The SPEAKER: Yes, I think we have heard—leader?

Mr MARSHALL: I have a supplementary, sir.

The SPEAKER: I am not sure that the Premier is finished. Is the Premier finished?

The Hon. J.W. WEATHERILL: Yes.

The SPEAKER: The Premier is finished, which I am sure will remedy the point of order of the member for Finniss. The leader.

TAXES AND CHARGES

Mr MARSHALL (Norwood—Leader of the Opposition) (14:26): Will the Premier rule out any new infrastructure levies to pay for his \$36 billion dream?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:26): The first thing: it is not my dream, it is the work associated with going out to the community. It is the product of their aspirations, their hopes, their desires for the future of this state. It is more than a dream, it is a coherent vision for the future of our state. I know the Leader of the Opposition always engages in this faux laughter whenever he feels under pressure, but I think most people can see through that now and realise that this is a coherent vision for the future of our state, one which is gathering momentum as people actually like the vision that they are seeing laid out for them.

Mr Marshall: Will you rule out a levy?

The Hon. J.W. WEATHERILL: I am more than happy to rule out an infrastructure levy to pay for this, because it would be unnecessary to do so.

Mrs Redmond interjecting:

The SPEAKER: Before the leader asks a supplementary, regrettably, I have to warn the member for Heysen for the second time. She took absolutely no notice of her previous warning. There will be no further warnings to the member for Heysen. Is this a supplementary, leader?

TAXES AND CHARGES

Mr MARSHALL (Norwood—Leader of the Opposition) (14:27): A final supplementary, sir. I wonder whether the Premier can clarify this issue of no new levies. Will the Premier rule out any expansion of the existing car park tax—the current transport infrastructure levy—that the government has still failed to bring to the house?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:27): I stand by the remarks I made before about my commitment. As I understand it, the Leader of the Opposition has left open the possibility of raising existing taxation. I read that with interest in the reported press the other day, so perhaps he has some questions to answer there. We will be bringing to this house, if—after the consultation process around the draft legislation—there is a consensus about being able to move this through the house in this session. I would like to do that. I understand that those opposite might be keen to actually support the transport development levy. That was put to me today. If they are, we are more than happy to advance that through the parliament, through all stages, very quickly.

The Hon. P. Caica interjecting:

The SPEAKER: I call the member for Colton to order for interjecting.

INNER CITY REVITALISATION

Dr CLOSE (Port Adelaide) (14:28): My question is to the Minister for Planning. Can the minister please inform the house about the government's plans to revitalise our inner city and the importance of design to this reform?

Mrs REDMOND: Point of order, Mr Speaker.

The SPEAKER: Yes, point of order, member for Heysen.

Mrs REDMOND: The member has used the term 'please' and, as we know, Speaker Lewis ruled that that was unparliamentary.

The SPEAKER: My strong advice to ministerial assistants is to dispense with the word please. Could the message go out: we shall sever the word 'please'. The Deputy Premier.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (14:29): I thank the honourable member for her very important question. Can I say that one of the interesting things that have come back to me very clearly over the last year or so in conversations I have been having—

Mr Pengilly: Have you got the numbers yet?

The Hon. J.R. RAU: —around South Australia, and in particular in the city, the member for Finniss might be interested to know, is the number of people who initially are concerned or sceptical about having two or three-storey buildings in their precinct. When you actually drill down and speak carefully to those people, what they are concerned about is not that the building is two, three or even five storeys or whatever, for that matter: it is whether that building is going to fit in with the environment in which that building is being placed.

The Hon. J.M. Rankine: Quality.

The Hon. J.R. RAU: It is quality—exactly. It is quality and it is design. That is what people are really interested in. The message I have got is that most of the people out there who have concerns about higher density are not saying that they are flat earth society fanatics who do not want any development. That is not what they are saying, although there are some that fit in that category, and I think they often write letters to the editor. The rest of them are actually people who are open to change and development, but what they are concerned about is that that development

adds value and does not become a sort of blight on their community. That is what they are on about.

I remember from very early on, driving, as I used to do from where I was living at the time, through parts of our city where, at some time in the early 1960s, a particular individual got hold of a block and then built some large, cream brick thing with a series of stairs up the outside with 10 dwellings in it. I know these are very prized elements in every community, but normally the neighbours do not look at them and go, 'Wow, isn't that the most attractive building in the street?' Some people have in their minds that, if we do the rezone work we are doing, all we are going to do is have a lot of them spaced around the suburbs. Well, that is not true.

Today, with the Premier, I was pleased to be at the unveiling of the first phase of our inner metropolitan rezone, which has been an extremely cooperative exercise with the relevant councils, with one notable exception. The outcome has been very good. Part of what is underpinning that is to say design is very important and, for that reason, I would encourage people to have a look at the material.

First of all, the Premier unveiled a series of exemplars of what that medium density accommodation can look like and how it can be very attractive. There is some of that work being done at Bowden, which is very good work, and there are other examples around the city. In fact, I think at the awards I was at with the member for Davenport the other evening, there were some prizes given to people who were doing work in Gilbert Street for that sort of density of building.

The other thing that we announced today is that there is going to be a design centre in Adelaide to assist people in becoming more familiar with what the design opportunities are, and that would include ultimately an inner city model so people would be able to go there and actually look at what the city looks like. Sydney has got one, Berlin has them, Singapore has them; they are a really important tool to enable people to physically understand what is going on.

Then, the other thing, of course, which was announced today, which was very important, is that, in that rezoned precinct around the inner metropolitan area, if there is a building that is going to be five storeys or above, we have said that that will now be mandated to go through the same design review process and the DAC approval process that occurs within the city for \$10 million-plus buildings. So, those people in the inner metropolitan area can have confidence that the government is doing everything it can to mandate good design, and they will get buildings—

The SPEAKER: The Deputy Premier's time has expired. Supplementary, deputy leader?

INNER CITY REVITALISATION

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:33): Given that the minister has outlined his claim that this announcement was so welcomed today by those in these communities, why then were Anzac Highway and Henley Beach Road, which sit in the electorates of Ashford and West Torrens, removed from the inner metropolitan rezoning changes that he announced today?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (14:34): I thank the honourable member for her question. Just so it is very clear to everybody, this is not the only rezone that is—

Members interjecting:

The Hon. J.R. RAU: Can I please be able to answer the question? This is not the only rezone that is ever going to happen in the inner metropolitan area. This is the first rezone that is happening in the inner metropolitan area—the first. The situation, and the government has made no secret about this and I certainly have not, is that there will be more rezones in the inner city area. That is going to happen, no question about it, but it has to go through a process, and the process that it needs to go through is one where there is an appropriate engagement with the community, where the councils bring the communities along and where they have an opportunity to get involved.

As I explained, all of the rim councils, with the exception of one, willingly participated in the exercise we have just gone through, and what we have put in respect of those has been absolutely agreed to by them. Those who want to have a look at those plans will be able to ascertain that, as a result of the process and as a result of the consultation that has gone on, some areas have been excised altogether from those original plans, and they include areas in the honourable member's

own electorate, I believe, where, because certain residents were not happy, bits have been taken out, for example, behind the Air Apartments.

Ms Chapman interjecting:

The Hon. J.R. RAU: I beg your pardon; that's one for the member for Unley. I think the ones heading down Greenhill Road in Dulwich are the ones that the honourable member might be happier about. They have been removed and that's because we listen to people, and we will continue to do that.

Members interjecting:

The SPEAKER: Order! The member for Adelaide is called to order. Is the Deputy Premier finished?

The Hon. J.R. RAU: No. So, we will continue to do that and in due course the areas to which the honourable member has referred will be considered and the communities there will be consulted.

INNER CITY REVITALISATION

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:36): Further supplementary.

The SPEAKER: Before the supplementary, I warn the leader for the second time for having a disturbingly loud message noise on her phone.

Ms Chapman interjecting:

The SPEAKER: Yours, yes.

Ms Chapman interjecting:

The SPEAKER: Deputy leader.

Ms CHAPMAN: My further supplementary is to the Minister for Planning. Given his indication that there is further consideration being given to the particular areas of Anzac Highway and Henley Beach Road, will he be announcing those before the election?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (14:37): As usual, the member for Bragg takes my answer, recasts it into her own form and then asks me about it. Can I make it very clear: I am saying all of the areas, and this includes, for example, Henley Beach Road and Anzac Highway, it possibly will mean some areas, the top of Port Road, for example, who knows? There are a whole bunch of areas which, logically and in terms of the well established principles that are sitting in that 30-year plan document, will be the subject of further study. When the councils are ready, when everybody is ready, the usual process will be engaged.

So, we have a statement of intent, we have an initial draft development plan amendment, we have a consultation phase where the communities engage with the development plan amendment process, and at the end of that development plan amendment process it goes to DAC, they make recommendations, the recommendations come to the minister and the minister makes a determination. That is the process that will occur. It is a matter, largely, in the hands of the local government authorities responsible for those areas how quickly or slowly they wish to move those along. At the moment, I am satisfied that they have been cooperative, with, again, one notable exception, and they are moving at their own pace and that's fine, as far as I'm concerned. But if you are asking: will Henley Beach Road be looked at at some stage? Absolutely. Will Anzac Highway? Yes.

Ms Chapman: Before or after the election is my question.

The Hon. J.R. RAU: That is largely in the hands of the councils. If they want to move these things forward I'm not going to stop them. If West Torrens council comes to us and says, 'Look, we'd like you to get this process underway,' I'm not going to be stopping them.

The SPEAKER: Deputy Premier, I've now become morbidly curious: what is the exception?

The Hon. J.R. RAU: I am glad you asked that question, Mr Speaker. The local government authority that represents the good burghers of Burnside has displayed a different attitude to engagement with the government.

HOUSING ASSISTANCE GRANTS

The Hon. S.W. KEY (Ashford) (14:39): My question is directed to the Premier. Can the Premier advise the house with regard to the uptake of housing assistance grants offered by the government?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:39): I thank the honourable member for her question. I note her long-term passion for the housing sector. Following several periods of strong growth in the previous decade, the South Australian housing construction sector experienced a significant fall in housing construction activity from mid-2010, with annualised dwelling commencements as at the September quarter 2012 being 35 per cent lower than two years earlier.

The government recognises that the construction industry, including the housing construction industry, is a fundamental element of the state's economy, employing more than 60,000 South Australians while playing a critical role in triggering further growth opportunities in other sectors.

In October 2012, the government took decisive action in response to this weaker outlook in the local housing sector. As well as increasing the existing First Home Owner Grant for new homes from \$7,000 to \$15,000, the government also introduced an \$8,500 Housing Construction Grant for all eligible buyers of a new home valued up to \$400,000, phasing out for properties valued at \$450,000.

Since being introduced, these measures have provided a much needed boost to the state's housing construction industry and have helped to stimulate the property sector. A total of 3,477 Housing Construction Grants have been provided to new home buyers at a total value of around \$28 million. The number of grants paid has increased significantly on a month-to-month basis, so far peaking in July 2013, with strong uptake continuing since that time.

Since changes to the First Home Owner Grant were simultaneously introduced in October 2012, there has been a 15 per cent increase in the number of grants provided by the government for buyers of both new and established homes. Since the government introduced its housing assistance package this time last year, the outlook for the local housing sector has shown some very positive signs of rebounding. Trend new dwelling approvals in South Australia have been rising continuously for the past 14 months, increasing 25 per cent from August 2012-13, annual growth second only to Western Australia.

The trend number of housing finance commitments by owner occupiers in the state has been rising for nine consecutive months, growing 16 per cent from August 2012-13, the highest annual growth in the country. Trend dwelling unit commencements in South Australia have been rising for four consecutive quarters and are now 17 per cent above the low point reached in the June quarter 2012.

The government's response to the difficulties in the housing sector has had a positive impact on the state's housing and construction sector. At the same time, I also appreciate that there remains a number of challenges to ensuring that we continue to see sustained levels of growth in this area.

As announced today, we have expanded the off-the-plan concession to those newly zoned inner urban areas, and that is available immediately for anyone wanting to purchase an apartment off the plan. As we have acted to date, I can assure the house that this government will continue to work collaboratively with the private sector and with industry members as well as the wider community, because we understand that this sector is such an important part of our economy.

CAR PARKING LEVY

Mr MARSHALL (Norwood—Leader of the Opposition) (14:43): I ask the Premier to clarify one of his earlier answers to the house and indicate when he will bring the legislation regarding the introduction of the car park tax to this house, as foreshadowed in December 2012?

Members interjecting:

The SPEAKER: Before the Premier rises, I warn the Minister for Education for the first time for interjecting. Premier.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:43): I have answered this question before.

Members interjecting:

The Hon. J.W. WEATHERILL: Apparently there is a case of mistaken identity being asserted here on the front bench, sir.

The Hon. J.J. Snelling: It was my interjection, sir, I think.

The SPEAKER: The Minister for Health confesses accordingly. The warning is withdrawn and applied to the Minister for Health. The Premier has the call.

The Hon. J.W. WEATHERILL: Can I say that the member for Playford may be a sinner, but he is a gentleman. I have answered this question but I will say it again. We are going to release draft legislation for consideration by all of the relevant elements, including those opposite. It was put to me today at a media conference that those opposite might quickly support the passage of this bill through the parliament. Now if that is the case, it could very well be introduced and through the parliament during this parliamentary year.

The SPEAKER: Before the leader asks his supplementary question; there have been cases of demerit points being transferred in the chamber before. I recall an incident involving the member for Bragg.

TAXES AND CHARGES

Mr MARSHALL (Norwood—Leader of the Opposition) (14:44): I am just asking the Premier to clarify when he will introduce the legislation to this house.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:45): It is the same question, and it gets the same answer: we will be introducing some draft legislation for public discussion, and we will abide by the response to that. People need to see the draft legislation. If those opposite have engaged in some Pauline conversion and have decided to support the legislation, then its speedy passage will be guaranteed.

UNMANNED AERIAL VEHICLES

The Hon. R.B. SUCH (Fisher) (14:45): My question is to the Minister for Police, who also wears the hat of Minister for Emergency Services. Minister, are you aware that people were using drones to fly over the Blue Mountains during the recent bushfires, putting the lives of pilots in firefighting helicopters and water bombers at risk? If so, are you planning to seek some controls over this rapidly expanding activity here in South Australia?

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:46): Yes, I am, member for Fisher, because you rang my office. That aside, I do actually appreciate you bringing this issue to my notice. I sought advice, and I tracked down a number of articles in the New South Wales media. It was a bit of an issue in New South Wales.

On the Saturday, as you are well aware, member for Fisher, there was a drone sighted in the vicinity of probably the major fire in the area, known as the State Mine. The New South Wales Rural Fire Service were considering prohibiting the deployment of firefighting aircraft to that area because of the concern for potential collision and an aircraft coming down.

I have checked, and part 101 of the Civil Aviation Safety Regulations prohibits the use of commercial and recreational remotely-piloted aircraft operating in controlled or restricted airspace. So, in response to your inquiry and this particular question, I will be writing to the Civil Aviation Safety Authority (CASA) to get some guidance as to whether they would have a preference for the Country Fire Service in South Australia, on days in which we are fighting fires, to be indicating a warning that these drones are not to be used, or whether they will take it on board as their responsibility. But we definitely require the clarity.

I am sure in years to come, if not at this particular point in time, the media will be making use of drones to get footage over a fire. I am working on the assumption that they will act

responsibly, but it may well be that some individuals will want to fly effectively a mobile camera over a fire for their own interest. So, I am writing to CASA to get a clear indication as to whether they want the Country Fire Service, on the days of bushfire, to be issuing the warning, or whether they will take it upon themselves to issue that particular warning.

VISITORS

The SPEAKER: Before the supplementary, I welcome to the chamber former Speaker Peter Lewis, one of whose precedents has been applied today, at the instigation of the member for Heysen to the member for Port Adelaide. Supplementary, member for Finniss.

QUESTION TIME

UNMANNED AERIAL VEHICLES

Mr PENGILLY (Finniss) (14:48): Does the minister therefore see a need for urgent legislation to come before the house before the parliament rises to put in place a ban on drones in South Australia during the course of fires?

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:49): Member for Finniss, this is an area I think that is set aside for the commonwealth in the Australian Constitution, and it is actually dealt with in part 101 of the Civil Aviation Safety Regulations. As I said, what we have got to ensure now is whether the commonwealth want us, through the Country Fire Service, to be issuing a warning or a direction, or whether they will do it themselves.

CAR PARKING LEVY

Mr MARSHALL (Norwood—Leader of the Opposition) (14:49): My question is to the Premier. Does the Premier accept that the citizens' jury recommended to scrap the car park tax?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:50): No, I don't, and this—

An honourable member: Do you believe this question?

The Hon. J.W. WEATHERILL: No, I don't.

An honourable member: Did you give him this question?

The Hon. J.W. WEATHERILL: It must have been. Can I say that when I commenced the citizens' jury I went down and spoke to some of the people there, and one gentleman came up to me and said, 'One of the reasons I'm here is because I actually wanted to show my son that politics can work. I want to make a difference and do something very positive. I've been a bit disturbed about how things always look like they are gridlocked in politics, and I accepted this invitation because I wanted to make a difference.' It was very poignant. Almost everybody I spoke to of those 43 people participated in good faith on that basis.

That is why I was absolutely enraged when the Leader of the Opposition's chief of staff misrepresented the outcome of the citizens' jury and asserted that it had voted to support the scrapping of the car parking tax. Those good people, who came along of their own free will to participate in an act of democracy because they wanted to back democracy for themselves, had that subverted because the Leader of the Opposition permitted his chief of staff—

Mr PENGILLY: Point of order, sir.

The Hon. J.W. WEATHERILL: No; you're going to have to hear all of this—you asked the question.

The SPEAKER: The point of order is what?

Mr PENGILLY: Standing order 98: I believe the Premier is debating and I seek some clarification from you, sir.

The SPEAKER: No; I think he's squarely addressing the leader's question whether he maintained a particular position. He appears to be maintaining it. Premier.

The Hon. J.W. WEATHERILL: Can I say that those good people participated in good faith, and the Leader of the Opposition permitted his chief of staff to participate in that process. He participated—

An honourable member interjecting:

The Hon. J.W. WEATHERILL: Exactly, and that's your choice. He went along and he ran his line to scrap the car parking tax. When he couldn't actually persuade a majority of those people to support that—because there was a clear majority that opposed the idea of scrapping that tax because they could see the common sense of its application to public transport projects—he then went and out misrepresented the position that they had arrived at. That has now been clarified by newDemocracy that ran this process. You are going to have to live with the fact that you couldn't persuade 43 ordinary citizens who, when they had the facts—

Mr Marshall: It was 42.

The Hon. J.W. WEATHERILL: No; there weren't, that's right—there was one extraordinary citizen. There was one person who went along to run his own political agenda and it was thoroughly rejected. That is what is going to happen with your opposition to this particular measure. The good people of South Australia, when they have the facts in front of them, will see the good sense of investing in the long term in public transport, because they could see the contribution that made to the vibrancy of the city. I must say it's one of the more shameful things I have seen in my time in politics. Ordinary, decent citizens coming along to do something constructive and they get some apparatchik from the Liberal Party subverting the process.

Members interjecting:

Mr MARSHALL: I have a supplementary.

The SPEAKER: Before that, will the leader be seated. I call the member for Elder to order for interjecting, and I call the member for Hammond to order for not merely interjecting but bellowing across the chamber. The leader has a supplementary. I thought the answer was reasonably clear and didn't need explication, but anyway.

CAR PARKING LEVY

Mr MARSHALL (Norwood—Leader of the Opposition) (14:53): My supplementary question is to the Premier. What was the Premier's citizens' jury referring to when it asked the Labor government to—and I quote:

...withdraw measures, including cost barriers that may discourage people from driving into the Adelaide CBD and therefore contributing to vibrancy.

What were they referring to?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (15:54): They had a specific proposition in front of them to scrap the car parking tax. What they did in response to that—presumably because they are decent citizens who actually wanted to pay some respect to your chief of staff's arguments—was to put in there language that at least gave him some comfort to say that if there are some measures which would have the effect of reducing the capacity of people to come into the city. But they specifically rejected the proposition about abolishing this tax. It is an outrage that your—

Members interjecting:

The Hon. J.W. WEATHERILL: I must say another thing: the very gentleman that actually was the spokesperson on behalf of the citizens' jury was just an ordinary member of the public who went out there with me. I must say I saw that language, and I looked at it at face value, and I thought, 'Perhaps that is about not supporting the car parking tax,' but I asked that question without suggesting what the answer should be, and he said it was specifically not that. They had specifically decided to support that tax because they thought it would make an important contribution to public transport.

Another point needs to be made here: when that gentleman made his point to the media and explained the very point that I have just given to the house, what those opposite sought to do was to characterise him as a dissident—somebody that was actually speaking out against the jury. So, this man, who went along in good faith as the spokesperson for the group and who faithfully

recounted what had been decided by the group, was blackguarded by those opposite, who suggested that he was the dissident.

Mr PISONI: Point of order: surely the Premier is imputing improper motives.

The SPEAKER: No, he is not imputing improper motives: he is reintroducing that interesting word 'blackguard' to the parliament, which could, leader, probably be a word that needs revival. Before the leader rises, I warn the member for Unley for the first and second time for repeated interjection. Leader.

Mr MARSHALL: Given that the Premier—

The Hon. J.W. WEATHERILL: I haven't finished yet.

The SPEAKER: You haven't finished? Premier.

The Hon. J.W. WEATHERILL: Thank you, Mr Speaker. That particular gentleman came along and said to the cameras precisely what I have just told to the house. Because in the report there is a reference to the fact that all of these decisions were taken, I think, at the rate of 41-1 or 42-1, so there was one person standing out, what they sought to do was to characterise him as the one dissident when, in fact, that one person was somebody who didn't want any cars coming into the city—somebody who was an outlier who had very strong views about not encouraging cars at all into the city.

So, it was somebody, one might say, on the very Green edge of the spectrum who put that proposition. But what they tried to do was take a good, decent citizen, who put his hand up to make a contribution to the public debate, and seek to characterise him as the dissident that was speaking out against the collective wisdom of the group. So, not only did you defame that good citizen, you misrepresented the outcome of a decent attempt at democracy. We now know where those—

Ms Chapman: Come on, Jay.

The Hon. J.W. WEATHERILL: No, you are going to have to wear all of this. We now know what their attitude is to involving citizens in the decisions that affect their lives. They will misrepresent them, they will defame them—that's what the South Australian community have to look forward to if they were ever in the position of occupying the treasury bench.

Mr MARSHALL: Supplementary, sir.

The SPEAKER: Before I have, I think, a third supplementary, would the leader be seated? If the leader is going to ask questions like that, of that tone, and the Premier is going to answer them in that spirit, then I am just going to let you go. Leader.

CAR PARKING LEVY

Mr MARSHALL (Norwood—Leader of the Opposition) (14:58): Given that the Premier has now told us that he spoke to a gentleman on the citizens' jury who said that this specific recommendation did not refer to a car park tax—this cost barrier prohibiting people from driving into the city was not the car park tax—did the Premier actually ask this person what this recommendation was referring to?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:59): I will explain exactly what my conversation was. I sat in front of the whole of the jury minus one—somebody that didn't turn up to the briefing for me. I saw that recommendation, and I simply asked what it meant. I asked them whether it meant the car parking tax and they all laughed and said no. They said there was one person that was very keen on scrapping the car parking tax and they all collectively laughed—all laughed. I presume what they were trying to do, without knowing what the answer is, is to pay some deference to the fact that at least one of the people there was actually putting very strong arguments about the effect of this tax.

Mr Marshall interjecting:

The SPEAKER: The leader is warned for the second time.

The Hon. J.W. WEATHERILL: Look, I am not going to dig the leader out of the hole that he has dug for himself. He sent his chief of staff along on a mission to get the citizens' jury to support the abolition of the car parking tax—he failed. He failed in that endeavour, and instead of just accepting the verdict of the jury what he sought to do was misrepresent the outcome of the jury. Maybe it is something that should be inquired into—it seems to be the fashion. I think this

represents a new low, and, Mr Speaker, the Leader of the Opposition has to take responsibility for the decisions that his chief of staff has taken.

Mr Marshall: By the way, he's not my chief of staff.

The SPEAKER: I think by way of interjection the leader wanted to establish that this person was not his chief of staff.

The Hon. J.W. WEATHERILL: I'm sorry, sir; I had taken it that he was. What's his role?

Mr Marshall interjecting:

The Hon. J.W. WEATHERILL: He's a member of your staff.

The SPEAKER: The member for Taylor.

WOMEN'S AND CHILDREN'S HOSPITAL

Mrs VLAHOS (Taylor) (15:01): My question is to the Minister for Health and Ageing. Can the minister tell the house about the recent announcement to relocate the Women's and Children's Hospital?

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) (15:01): I thank the member for Taylor for the question and, of course, her interest in this subject. South Australian families deserve access to the best possible health and hospital care, and that is why over the last 10 years the Labor government has transformed our health system. It is why we are building Australia's most advanced public hospital, the new Royal Adelaide Hospital, it is why we have modernised every major hospital in the state, and why we are investing more than ever in our health system.

The government has made health care a priority, and South Australian families now have access to world-class care, world-class facilities, and some of the shortest waiting times in the country. As members would be aware, the Women's and Children's Hospital is the leading provider of specialist care for children as well as the state's largest maternity and obstetrics service.

However, the current hospital is ageing and constrained, which will pose problems for expansion of services and research in the future. That is why I was pleased to join the Premier on Saturday to announce that we will build a brand-new, high-tech Women's and Children's Hospital, colocated with the Royal Adelaide Hospital, in the Southern Hemisphere's largest health and biomedical research precinct.

A new Women's and Children's Hospital will give women, children and babies access to the most advanced acute hospital care, meaning that new mothers will no longer face the prospect of a transfer away from their newborn. The new Women's and Children's Hospital will maintain its unique name, identity and entrance, separated from the new Royal Adelaide Hospital. Throughout the process, local clinicians in the community will lead the design and implementation of this landmark new facility, which is proposed to be opened in 2023.

After this initial period of community feedback, the government will set up a steering committee and working groups to guide the development of this new hospital. Clinicians will be critical to this ongoing process, recognising that they are well placed to advise on the types of services and facilities for the future of women's and children's hospital care in South Australia.

Further details about the budget, time frames and services will be developed with the assistance of these groups, in consultation with the community, as the proposal proceeds. I invite interested members to find out more about the project and have their say on the new facility by providing feedback through the website: www.newwch.sa.gov.au. By rebuilding our health and hospital system, we are building a healthier and stronger South Australia for generations to come.

ADELAIDE, LONELY PLANET RECOGNITION

Ms BETTISON (Ramsay) (15:04): My question is to the Minister for Tourism. Can the minister inform the house about the recent announcement by *Lonely Planet* recognising Adelaide as a top 10 city to travel to in 2014?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (15:04): This is terrific news today, with *Lonely Planet*, the world's leading travel guidebook, announcing that Adelaide is one of the top 10 cities to visit in 2014. It will give Adelaide

and South Australia a wonderful hook to put out there to people around Australia and around the world to ensure that they come down here.

It was interesting to talk with Chris Zeiher. He is originally from Adelaide and he works with Lonely Planet. He put Adelaide on the long list and then fought hard for it to be there on the short list when these 10 cities from around the world were named today. We are up there with Paris, Zurich, Shanghai and other great cities in the world. It is a tremendous reward for a lot of hard work that has gone in by the private sector and the government in recent years.

We hosted a party for the public today between 11 and 2 up in Leigh Street, because it is Leigh Street that symbolises a lot of the changes that have happened over the past few years. Credit needs to go to the Deputy Premier, the man known in that part of the world as the Lion of Leigh Street, the Prince of Peel Street. He has done a great job in changing legislation, changing the way people think and allowing young entrepreneurial South Australians to set up business, to provide South Australians and visitors to South Australia with fantastic entertainment areas.

Of course, the *Lonely Planet* also mentioned that the Adelaide Oval, which will be ready for the test match in just a few weeks time and officially opened just before the start of the AFL season next March, will be a game changer for South Australia. It is something that we have recognised, and we have been working hard on getting the AFL to make sure that they bring their corporates and their fans over to South Australia next year for the games. *Lonely Planet* points out that it is going to create vibrancy around the city, which fits in beautifully with the vibrant city vision of our Premier.

As I said, these accolades do not come around by accident. Change does not come around on its own. It needs good people to drive change. This is where the government has worked with the private sector to really encourage that sort of change, to make us stand out from the crowd. We might not have a bridge, but *Lonely Planet* said what we do have are the sorts of things that people want to come and see when they travel throughout the world. The laneway bars, the new oval—they are the sort of X factors and things that people are looking for. I would encourage every South Australian—we have got the hook now. We have been named as one of the top 10 destinations in the world for next year. Let's all get out and sell that.

The SPEAKER: A supplementary from the member for Davenport.

ADELAIDE, LONELY PLANET RECOGNITION

The Hon. I.F. EVANS (Davenport) (15:07): In the minister's answer he mentioned bringing the AFL corporates over in recent weeks to visit the Adelaide Oval. Did the government contribute any money to bring the AFL corporates over, or was that all paid by the clubs or the AFL?

The SPEAKER: It's not a supplementary, but the minister.

The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (15:07): Absolutely, we contributed to it. I think the final bill was \$7,449.20, but I will check for you. We paid for the AFL clubs for a dinner at Rigoni's. We hired a bus, which cost \$1,000, to take them down to McLaren Vale to two wineries, and we took them to lunch, which we paid for, at the Star of Greece. That investment of about \$7,500 will result in millions of dollars of economic benefit for South Australia.

You shake your head and you want to be negative over there, but when you go and you talk to these people from the 16 interstate clubs who came here, who have never brought people to South Australia to watch football, because Football Park was a terrible place to watch football—when you talk to these clubs they say, 'We guarantee we will all be bringing at least a thousand fans each.' Let's just say they spend an average of \$400, these thousand people or, if Collingwood bring the 6,000 that they took to the Gold Coast last year—do the sums: \$400 by 1,000, by 6,000, and tell me how much that is worth to the South Australian economy. \$7,500—best investment ever.

The SPEAKER: I remind the Minister for Tourism that I am neither shaking my head nor being negative. The deputy leader.

GOVERNMENT LEAKS

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:08): My question is to the Premier. Was Mary-Lou Corcoran the person suspended for leaking the government's forward policy schedule?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (15:08): I am not prepared to confirm that and I am not prepared to advise the reasons why I cannot disclose that.

WORKCOVER

Mr WILLIAMS (MacKillop) (15:09): My question is to the Deputy Premier in his role as the Minister for Industrial Relations. Were the minister's comments that WorkCover is 'buggered' an admission of policy failure of his 12-year-old government?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (15:09): I thank the honourable member for his question. I can give him either the short answer, which is no, or the longer answer. Would you like the longer answer?

Members interjecting:

The Hon. J.R. RAU: I gave you the short answer. The short answer is no. If you want some more, I can keep going.

The Hon. J.J. Snelling: Keep going. They've run out of questions, so you'd better help them out.

Mr Williams: For the benefit of the Minister for Health, if he wishes to move that question time be extended half an hour, I will gladly support it.

The SPEAKER: I warn the member for MacKillop for that impromptu speech.

The Hon. J.R. RAU: Let's just look at what is going on here with WorkCover. WorkCover has two statutory elements to it. One is the WorkCover Corporation legislation, which I am optimistically informed will be amended in the other place today, so that is something we are getting through there. The second bit is the Workers Rehabilitation and Compensation Act, which is one that defines all the benefits and sets out the scheme arrangements. That is probably the most amended piece of legislation in this parliament. Every single government since 1987 has had a chop at it.

What you have there is layer upon layer upon layer of change—many of those layers do not relate to each other properly—and what you have is an entrenched position of disappointment and anger (more than disappointment) amongst all sections of the community who have to interact with that arrangement. The government has tried, during the course of its tenure, on a number of occasions, to make improvements to that legislation. The last substantial attempt was made in 2008. At that time, we were reliably informed by consultants that the changes that were going to be introduced in that legislative change were going to make a difference to the performance of the scheme.

I do not think it is responsible of me, having gone through the process of studying this scheme intensively for the last nine months, to report to my colleagues on this side of the house or to cabinet, or indeed to the parliament or the public, that my examination has discovered the scheme is working beautifully and everything envisaged in 2008 has happened. It has not. So, having attempted a number of different ways to improve the scheme, and now having gone through the process myself of examining the scheme quite thoroughly, and having satisfied myself that nothing that was anticipated to improve the scheme has performed anywhere near what was expected, I am being completely frank with the public, with my colleagues, with everybody, in saying that is not good enough and we have to do better, and we will.

WORKCOVER

Mr WILLIAMS (MacKillop) (15:12): My question is again to the same minister. Has there been any period in the term of the current government when, using your current assessment criteria, WorkCover has not been buggered?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (15:13): I will get with the spirit of that question—

An honourable member: What's the short answer?

The Hon. J.R. RAU: He wants the short answer. Okay, I will give you the short answer. The short answer is simply to quote that great American statesman, Donald Rumsfeld: 'There are the known knowns, the known unknowns, and the unknown unknowns.'

WORKCOVER

Mr WILLIAMS (MacKillop) (15:13): My question again is to the same minister. Can the minister point to any initiatives of his government over the last 12 years which have had a significant positive impact upon WorkCover?

Mr Marshall: Give us the short answer.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (15:13): Look, the short answer is we do not have long enough within the four minutes that I have. Let's start with the present and work backwards, because that is the easiest place to start. Even as we speak, in another place (assuming they are actually busy) they are working even now on improvements to the WorkCover Corporation legislation. That is happening right here and now, and it is an exciting moment for that, because at the end of that, we will have—

Ms Chapman interjecting:

The SPEAKER: If the member for Bragg isn't careful I will suspend her for the rest of question time. Deputy Premier.

The Hon. J.R. RAU: At the end of that process, which could be as soon as this afternoon, we will have, for the first time, enshrined in law the fact that we are going to have a commercial board running WorkCover. Let's take a few weeks back behind that.

Mr Marshall interjecting:

The Hon. J.R. RAU: That will depend on whether members of the opposition actually support it, as they have indicated they will. We will see. Then, going back only a few weeks ago, the Premier, in the guise of Treasurer, and I signed off on a new code of practice for WorkCover Corporation, with a whole bunch of performance criteria attached to that new code. Absolutely groundbreaking stuff. It has been picked up by the board. It will be picked up by the new board, which will probably be in place.

Mr WILLIAMS: Point of order, Mr Speaker: standing order 98, relevance. My question was about any initiative already taken by this government. The answer seems to be prospective, rather than retrospective.

The SPEAKER: I am sure the Deputy Premier—

Mr WILLIAMS: It was about the last 12 years.

The SPEAKER: Yes; I understand what the question was and I will ask the Deputy Premier to be germane to that question.

The Hon. J.R. RAU: Thank you very much, Mr Speaker. Just so it is helpful to the member for MacKillop, I am approaching the time tunnel from this end and working back, rather than jumping to the other end and coming back this way, just to explain what I was doing. Anyway, I got to about two weeks ago.

The SPEAKER: Well, you've got two minutes and four seconds to get into the past.

The Hon. J.R. RAU: Very well. As I say, about two weeks ago, which is the next milestone, the code of practice came into effect, and that is already making a difference. Going back a little ways before that, there have been significant changes to the management structure within WorkCover. I am now starting to move into the area where my predecessor in supervision, now the health minister, was presiding over the fact that there was a change at the very top inside the corporation. Mr McCarthy came in to bring change into the organisation, and what a magnificent job Mr McCarthy has done, because he has assembled around him a team of the best in Australia, from all over the commonwealth; excellent people, all doing a fantastic job. Also, under my predecessor's tenure, the introduction of another—

The Hon. J.J. Snelling: The risk rating premiums for the—

The Hon. J.R. RAU: Risk rating premiums, but also another competitor within the claims management area—another great initiative.

The Hon. J.J. Snelling: The legal services.

The Hon. J.R. RAU: Legal services. Again, the capacity to contract. There is so much of this—

Ms CHAPMAN: Point of order. The question was: what has occurred that has been a positive impact, not a negative impact?

The SPEAKER: I am very tempted to dispense with the services of the member for Bragg. That point of order had no merit whatsoever. The Deputy Premier.

The Hon. J.R. RAU: I think, Mr Speaker, I have got to about 11 months ago.

Members interjecting:

The Hon. J.R. RAU: That's enough? You've had enough?

Members interjecting:

The Hon. J.R. RAU: That's enough. Fair enough. They've had enough, Mr Speaker.

FIRE AND EMERGENCY SERVICES ACT REVIEW

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:18): Today, I table a review of the Fire and Emergency Services Act 2005. Section 149 of the amended act, which came into force in November 2009, required a review of the operation of the act that relates to the period between November 2009 and 30 March 2013. In March 2013, I appointed the Hon. Paul Holloway to conduct the review. His knowledge of the sector and expertise made him a worthy choice. His appointment received broad support from both sides of politics and the emergency services sector.

The review involved significant consultation and many submissions were received, including from members of parliament and local government. I would like to take this opportunity to thank the Hon. Paul Holloway for his contribution during the course of the review and the spirit of consultation upon which it was undertaken. I also thank those who took the time to prepare submissions. I received the final review report on 2 September 2013 and, according to the act, the report is required to be tabled before both houses of parliament within 12 sitting days of the report being received.

I am extremely satisfied with the report and its recommendations, and I am confident it will deliver immediate and long-term benefits to government, the emergency services sector and, more importantly, the community itself. Of the 38 recommendations in the review, 31 are supported by the government; five are supported in-principle but require some further consultation; and two have been noted, also with further consultation and consideration required.

Some of the recommendations contemplate significant changes to current arrangements, and I believe it is appropriate to undertake further consultation within the sector before forming a final government response. This consultation will also provide an opportunity to consider the recent key findings in the Queensland Police and Community Safety Review undertaken by Mick Keelty.

It should be noted that approximately 30 of the 38 recommendations will require changes to legislation or regulation if fully adopted. As such, any changes that are implemented will not take effect until next year. I have identified eight priority recommendations, many with a potential direct public safety benefit, but without an immediate legislative impact, that will be developed immediately. Consultation on many others has already commenced. The remaining recommendations will be considered by the incoming government following several months of additional consultation. I also now table a copy of an appendix which is being distributed with a hard copy of the ministerial statement.

GRIEVANCE DEBATE

CHAFFEY ELECTORATE

Mr WHETSTONE (Chaffey) (15:21): I rise today to showcase some of the achievements of constituents in the electorate of Chaffey over the last couple of months, claiming state, national and international awards, and it has certainly kept me busy acknowledging these achievements. These awards include the 2013 Advantage SA Awards which I attended in Murray Bridge last Friday evening. The health award winner was the Murray-Mallee Aged Care Group established in

1984, a not-for-profit home aged care service. The wine award winner and large business award winner was Kingston Estate Wines, headed up by Bill and his wife Ivanka Moularadelous. Kingston Estate wines is the largest supplier of private label Australian wine and contributes over \$30 million to the Riverland's economy with 23 vineyards in the region and employs 120 locals.

The sustainability award winner was BirdLife Australia Gluepot Reserve. Based near Waikerie, it is Australia's largest community-managed and operated conservation reserve under the Judas goat program. The arts award winner was Alysha Herrmann, an absolute achiever in our region. Alysha is an artist whose work is based on performance, literature and installation, and she has been involved in mentoring, Riverland Youth Theatre and creative writing. The small business award winner was Caudo Vineyard. Young Zac is a real goer, and he and his parents have Caudo Vineyard which is a wedding destination and a cellar door, and they also hosted the True Grit event in the Riverland, which was an absolute success.

The community group award winner was Mid Murray Support Services, which was established in 1987. It is a volunteer-driven organisation providing services to disadvantaged people in the Mid Murray Council area, and they operate an emergency food bank. The community individual award winner was Bruce Mellett. Bruce has the golden voice on 1062 on ABC Radio in Renmark, and it was a great achievement by him. The education award winner was the Baramba Primary School, which I am very proud of, with their environment expo inspired by the Kids Teaching Kids methodology, and they really are a great working example of how children can mentor children, and also their Indigenous programs.

Some other award winners include: the Mid Murray Council which was recognised for outstanding achievements in the fight against heart disease at the national 2013 Heart Foundation Health Community Awards this week; and the Loxton Waikerie council and the Loxton Chamber of Commerce were presented with the 2013 Mainstreet SA Outstanding Partnership Award last week for the Our Hub Our Pride East Terrace Revitalisation Project.

Berri builders Craig and Gill Hotham were named Hotondo Homes South Australian Franchisee of the Year for the second year running, and Berri man Kevin Deakin recently tasted success at the Australian Amateur Wine Competition, taking home a gold medal, three silvers and two bronze—a great achievement. Renmark High School's year 10 class was awarded the best red at the inaugural Royal Adelaide Schools Wine Competition, and Jubilee Almonds' Chloe Shaw received this year's Rural Youth Bursary at the Agriculture Bureau of South Australia's Spirit of Excellence awards, and will spend two weeks in California, investigating innovations in the almond industry.

Berri business Arrosto Coffee was awarded two silver medals at the Natvia Golden Bean Roaster Competition held in Port Macquarie recently, which is a national event—a great achievement. AlmondCo Australia and AgriExchange are finalists in the 2013 SA Food Industry Awards. Kylie Eggers, the Principal at Swan Reach Area School, was awarded School/Preschool Leader of the Year in the Murray and Mallee, and Terry Brandon was awarded Secondary School Teacher of the Year. Loxton High School's Jane Garrard received a lifetime achievement award. Havenhand Chocolates in Waikerie recently won three silver medals at the 2013 South Australian Dairy Industry Awards.

These are great achievements, and it has been a very successful period in the Riverland, Mallee and Murraylands, and I am sure we will continue to see further achievements in the future. I congratulate all those groups and individuals that have been successful, and of course the volunteers that have helped keep the dream alive in Chaffey. I am very, very proud of what has been achieved in the electorate of Chaffey, and I will continue to come to this place and acknowledge the outstanding achievements by those individuals and businesses.

ACTIVE CLUB PROGRAM

Ms BETTISON (Ramsay) (15:26): I rise today to talk about the successful grant recipients in the Ramsay electorate of the Active Club Program. I want to say that if there is one thing about the northern suburbs, it is their commitment to and love of sport. Particularly, the big winner of round 35 was Brahma Lodge Sports Club, and they have received a cheque for \$16,494 to assist with the installation of solar panels. One of the things that Salisbury council has been very pragmatic about is supporting our sports clubs to reduce some of their utility costs, and they have been supporting many of the sports clubs in Salisbury and Parafield Gardens to install solar panels.

One of the other clubs that has been successful is a smaller club called Cressy Bowmen Incorporated. Cressy Bowmen Incorporated do archery, which is quite interesting, and their Active

Club grant is to assist with club development, planning and programming and sports equipment; they received a cheque for \$1,300. One of the other successful groups is the Girl Guides South Australia Incorporated, and that was to assist the Salisbury District guides with ground maintenance equipment, hardship subsidies and uniforms; that was a cheque of \$5,000.

The other club is the Salisbury Amateur Athletic Club. I had the honour of being able to go along to some of their presentation nights. This is an adult athletics club, and they have been quite successful. Obviously, what we look to do is have one or two (or maybe more, if we are lucky) people who are members of this athletics club to go and represent us at the Commonwealth Games, and ultimately at the Olympic Games. Their cheque for \$2,200 is to assist with ground maintenance equipment, some coaching and official training and development, and some club promotion.

The Salisbury Bowling Club was also successful, and they have a cheque for \$4,900. They meet at Orange Avenue bowling club. That is also to assist with ground maintenance equipment, sport equipment and club programming. Another recipient was the Salisbury East Little Athletics Centre, and I have been lucky to go along to many of their presentations. What I am most impressed by with Salisbury East Little Athletics is that they have incredibly long-term commitment by some of their office holders, and they are very active in encouraging children starting from as young as five and six to participate in athletics. They were successful for a \$5,000 cheque for sport equipment, uniforms, club promotion and ground maintenance equipment.

The final group that was successful for Active Clubs was Triplings Incorporated. Triplings is a triathlon club located at Happy Home Reserve in the Salisbury Recreation Precinct. I was very fortunate on Sunday to go along and present them with their cheque. They were holding an aquathon on Sunday, and I have to say I did not participate myself but it involved swimming and running. It was delightful to see community police officers present as well as St John's, many parents and friends. The adults ran first in the morning and the children ran later.

They were successful in obtaining a \$5,000 grant to support coaching and official training, club development and sporting equipment. One of the things they told me they were working at training on was building people's capacity and their skill set to get them to be more efficient and effective at the different parts of the triathlon. I want to thank the government for what is a really fantastic program, and the people of Ramsay really appreciate this support.

SPEED LIMITS

Mr TRELOAR (Flinders) (15:31): I rise today to bring a very important message to the parliament and to this government from my constituency regarding open road speed limits. There has been a lot of discussion, particularly in recent weeks, about the possible intention of this government to reduce open road speed limits from 110 km/h to 100 km/h. Overwhelmingly, my constituency, the people of Flinders, and the local government jurisdictions in that part of the world are opposed to any such move.

The primary concern in my part of the world for the opposition to this proposal or suggestion—and I understand fully that it has not been put in place yet or is even likely in the near future but certainly there is some suggestion and it is being discussed—is around the fatigue that would be involved with people, particularly in country areas on long journeys and on lonely roads, and the fatigue that they would endure as a result of the lowering of the speed limit.

I understand that over recent years speed limits have been lowered in the Lower North, Yorke Peninsula and in parts of the South-East. In fact, the default speed limit speed on South Australian roads is 100 km/h but, of course, there are designated highways and freeways that are signposted at 110 km/h where you are allowed to do that speed.

As I said, all of the councils have voiced opposition to this suggestion to me. Other states, I understand, are moving away from 100 km/h speed limits back to 110 km/h on designated highways and freeways. The eastern states—Victoria, Queensland and New South Wales—have, for a long time, had 100 km/h in place but they are looking now to up the speed limit on their better roads and freeways.

It goes without saying that we are no longer driving FE Holdens and cars today are highly engineered. They are a pleasure to drive and are, in fact, very safe to drive. My belief is that speed is no longer the primary cause of road crashes. We can list off things that are more likely to be the cause of an accident and No. 1 is fatigue. If there was to be a reduction in the speed I was able to

do in the electorate of Flinders I would in fact add an extra hour on the road when driving from one end of my electorate to the other—an extra hour—that is when fatigue comes in.

Fatigue, drugs and alcohol result in inattention. That can be combined with a lack of experience which leads to poor judgement and all of these things are far more prevalent in road crashes that we see today than speed on its own. Often it is a combination of all of those things—I understand that.

The most important thing that a driver can do anywhere, anytime, is drive to the conditions. Bringing the speed limit down from 110 to 100 does not automatically make it a safer road or a safer drive. Conversely, increasing the speed limit from 100 to 110 does not automatically make it more dangerous.

At the moment, the trucks and road trains that are on our roads, and particularly at this time of the harvest, are all restricted to 100 km/h. If the cars travelling behind them and with them were also limited to 100 km/h, you would have the bizarre situation of somebody driving from Ceduna to Port Augusta, for example, having to sit behind a road train for that entire distance. Frustration would come in, and I would suggest to you that it would be a recipe for disaster because people must have the ability and the opportunity to pass heavy vehicles when they need to.

At the same time, I am very comfortable proposing that we lower speed limits in built-up areas. In fact, I have helped a couple of my smaller communities reduce the speed limit as they drive through their smaller townships. If road safety is really paramount, as it always must be to all of us, then I believe a better proposal is to actually lower the speed limit in the built-up areas.

In this month's edition of *Wheels Magazine*, there is a very interesting article proposing an open road speed limit of 130 km/h. I am not for a moment proposing that, but they make some good points about safe roads and what is actually causing accidents.

Time expired.

GRANDPARENTS DAY

Ms BEDFORD (Florey) (15:36): On Sunday, on behalf on the Premier, I attended the inaugural Grandparents Day and read the following message of goodwill that he sent to those gathered:

[Thank you to all for coming together today] to acknowledge and celebrate the significant contributions that grandparents make to their families and in the wider community.

Grandparents connect us to the values, stories and histories of our families and our communities. They play a valuable and unique role in our society through the love, support and sharing they offer their children and grandchildren.

Grandparents caring for grandchildren provide a vital support for the children, the children's parents and the community. Many provide a full range of care from babysitting and after school care, through to full time parental responsibility.

For generations, significant numbers of children have grown up in the care of their grandparents so that they can avoid the child protection system. There are enormous benefits to children's health and life outcomes for these children by being in the care of their grandparent. Income support through our tax, superannuation and social security system is vital for these grandparent carers.

Grandchildren in turn bring love, laughter and purpose to the lives of grandparents and grandparents provide knowledge, stability and unconditional love to the lives of their grandchildren.

In recognition of the valuable contribution that grandparents make, I am pleased that the South Australian Government provides funding to Grandparents for Grandchildren.

Grandparents for Grandchildren provide a range of support to grandparents raising grandchildren—including those who have full time care of their grandchildren. We acknowledge your commitment and support to grandparents and grandchildren.

Please enjoy the range of activities and entertainment that is on offer [today] and let us together celebrate the invaluable role and commitment of grandparents on this very special day.

It was really a great event, and the small but enthusiastic crowd gathered to hear the acknowledgement of country. I was honoured to be there in the company of the Lord Mayor, and I thank him for the funding from the Adelaide City Council. Councillor Tony Williamson was also there, as well as Local Government Association president David O'Loughlin. Children's Week Association was also a sponsor with companies like Aussie Farmers, RAA, North East Car Security, Savvy Health, Out Of the Cot, Jump First and Foodbank also contributing.

There were lots of stalls. Peace of Cake had wonderful gluten-free foods and other goodies. I particularly enjoyed the opportunity to have a piece of their chocolate beetroot cake and admired their wonderful muffins and fudges. Ridgehaven Scouts provided a super sausage sizzle, cooking to order when they were not too busy, and the Air Youth from Parafield also provided great egg and bacon sandwiches and lots more. Special food came from the Tongan community, the Sudanese community, the Liberian women and special spuds from The Munchie Wagon potato van.

There were lots of community stalls: Nunkuwarnin Yunti, Women's International League for Peace and Freedom—something I am particularly interested in through its association with Muriel Matters—Amnesty International, World Organisation of Early Childhood Education, the Association of Australian Conservation Youth UN Association, representatives from East Timor and the Australia West Papua Association. St John Ambulance was there too, on hand for any emergencies.

Special thanks go to John and Denise Langton, instigators of Grandparents for Grandchildren. Through necessity they have worked very hard to provide this community service, now so important to many. Last but by no means least, thanks to Bev and Ron Hall and their family for all the organisation that went into this great event. Their efforts on the day pale into insignificance as they put into action all that Grandparents for Grandchildren stands for in the raising of three of their grandchildren, who I have had the pleasure to watch flourish and who I have come to know as fine young people involved in many activities in the community.

Next year, this event will be bigger and better and incorporated as part of Children's Week. It will build on this important inaugural event, a start that so many thought would never eventuate, but it did, and it was enjoyed by everybody who went. I thoroughly recommend to everybody to put this date in their calendar for next year. Grandparents do play a major and significant role in ever many more people's lives, and I commend their work. It is done through love and voluntary work in the community, and I acknowledge all they do.

YORKE PENINSULA WIND FARM

Mr GRIFFITHS (Goyder) (15:41): I wish to bring to the attention of the house this afternoon a meeting that was held by the Development Assessment Commission at Ardrossan on Yorke Peninsula last week, at which time the DAC considered submissions made by many members of the community about a 198-turbine wind farm. As I understand it, it is intended to be the largest in the Southern Hemisphere, if it is built, at an anticipated cost of \$1.3 billion. It is a very significant development and will cover a total area of about 18,000 hectares; it is very large.

I wish the DAC meeting had been held a couple of months ago. It was rather frustrating to me that it has taken some time for it to occur so close to harvest. I would have preferred an opportunity not long after the submissions period closed. I do respect, though, that there is a need for the submissions to be reviewed and responses to be provided by the proponent, REpower, about that. The meeting went from about 9 until 1 o'clock. Predominantly presentations were made by people who were concerned about it.

Of the 210 submissions made on the proposal, I am advised that about 30 were in support, and 180 have questions that they would like answered. I recognise that the proponents, REpower, put considerable effort into responses to those submissions. About a week and a half before it became a public document they provided me with a document—for which I am grateful—about one inch thick, which was a response to all of the submissions made. I do recognise that REpower ensured that it was publicly available before the DAC meeting, which, as I understand it, is rather unusual. That was a step forward, and I commend them for that.

Submissions were made on the day by people who are hosting the turbines. I was pleased to hear from those families, and I think about 26 in total are hosting the turbines. Some of them attended the meeting and spoke about why they and their family units have made the decision to host them. I do respect their positions very strongly. For some, it is a bit of a life changer, depending a bit on their age, if they have children they want to educate, or they are looking for transition to retirement opportunities, or if they can fit it into their farm management practices. For them it represents a viable option that gives them an alternate revenue stream that was never available.

Overwhelmingly, though, the people who spoke were those who were rather concerned about it. A variety of positions were put, predominantly from individual land owners. The collection also spoke—Heartland Farmers—a group of people who have taken up this issue for some

months. The Black Point Shack Owners Association also spoke, and they similarly made presentations about a mine proposal for Yorke Peninsula.

One area really concerned me on the day. The Development Assessment Commission had for some reason arranged for a security guard to be there. I asked the officer who engaged him, because to me it did not reflect the people I know in Yorke Peninsula who, yes, will ask questions and, yes, will make sure they will get the best possible answer. However, there is a level of respect for others that I would not have thought required a security officer to be there. I have this day written to Mr Ted Byrt, who is the presiding officer of that Development Assessment Commission, asking if that is one of their regular management practices.

I am interested in receiving some response to that, because people in the community have rung me about it. For instance, as I was driving in yesterday morning a chap, who is a farmer in that area that I know is not supportive, rang me. He had heard that I had arranged it. I said to him, 'Very much the opposite.' I am rather upset by any suggestion for security or police to attend public meetings, because I do truly believe that it is not necessary and it does not reflect the make-up of the people who would attend. So, I am looking forward to that response.

I had lodged a submission, so I took the opportunity to speak and elaborate on some of that. For me, it was clearly based around design principles. In respecting the ability of those to host it, I am also respecting the ability of those who do not wish to see it happen to put objections in. I have always been concerned about the siting of towers—and I think the number is 73 out of the 198—that are quite close to boundary lines and, therefore, close to adjoining property owners who are not hosting.

I also raised the point about aerial firefighting support. This is an issue that I have taken up forever, seemingly, on this project. I have met with Mr Greg Nettleton, the Chief Officer of the CFS. I have grave concerns. Even though Yorke Peninsula is not identified as one of the priority areas, because the topography of the land means that in the absolute majority of cases it will be land-based forces who will do the absolute best work in controlling fires, I do know from feedback from fire officers and volunteers that the ability to have the planes there to hit a front when that needs to happen, to control it, and to protect property and potentially lives is a really important component of it.

I accept that the submission replies from Ceres' wind farm project talk about there being a level of support still available for aerial firefighting, but I do not accept their reasoning and, from the public and private conversations I have had with Mr Nettleton, I do not accept that there is that assurance that a fire plane can still operate. I affirm the position that is 18,000 hectares, which is very substantial. I also put the case for the Liberal Party policy of being two kilometres and five kilometres buffer distances between non-involved homes, and five kilometres for communities.

I recognise that the DAC did the right thing by having a site visit. They were there the day before. They went to the location, so they know where it is proposed. They can see physically what is intended to occur. The DAC will make a recommendation to minister Rau. The minister will then determine what his position is and announce that. With a development plan in place that basically supports it—I know the minister will make the decision soon—I hope that what is announced is something that the community can live with.

Time expired.

MILLSWOOD RAILWAY STATION

The Hon. S.W. KEY (Ashford) (15:47): I rise today to acknowledge an almost anniversary of a petition that I tabled in this house on 18 November 2009. This was a petition by 272 people in the electorate of Ashford, and probably in the electorate of Unley, who wanted the Millswood railway station reopened. I have addressed this issue a number of times in this house and I am very keen to represent the most recent emails and phone calls I have had from constituents, and I know the member for Unley has also received those requests.

There seems to be a reluctance on the part of the department. The minister has listened to me a number of times and I understand he has asked for more recent information from the department about what the cost would be of reopening the station. When you visit the Millswood station, I understand that it would need some work to be useable, and I suspect that some of the disability access issues would need to be addressed as well. So, I understand that it is not going to be a matter of just unlocking the chains and making the station available for stopping. However, it

certainly seems to me that this has been an ongoing campaign and we are starting to get a bit tired of the fact that it has not been reopened.

I think the constituents in Ashford in particular have been very patient, but also very assertive about the five infrastructure projects that we have had going on in the electorate. I am sure, when they are all finished, that we will all be happier, but there is an ongoing need for traffic management assessment in the area because of the Gallipoli underpass, first of all, and then leading on to the latest infrastructure projects. People have been using the back roads and the smaller roads in Ashford as ways of getting through from the very busy Goodwood Road as well as the very busy Anzac Highway, and certainly Leader Street, as the member for Bragg points out, is a big issue for us in that area.

So, we understand that there needs to be these changes, and I think once the electrification project is underway things will certainly be a lot happier in Ashford, because we now have more buses that are running through the centre of Ashford to take up for some of the public transport that is usually part of the Noarlunga line. Things are very busy.

As I said, there needs to be a traffic assessment redone in most of those suburbs, particularly Forestville. I have had a number of people from the Forestville area talk to me about the increased traffic that they have in their area. Having been a resident of Forestville, I was very surprised when I visited there recently about the number of cars and trucks that were actually using what would be the lesser roads in that area. I can well understand why residents are getting upset about not only the volume of traffic but also the speed at which some of those vehicles are whizzing through Forestville.

The other concern, of course, is that bike riders have been using the lesser streets—when I say lesser, I am talking about the non-main roads—in Black Forest, Forestville, Millswood and Goodwood. Having this increased motor vehicle and truck access has caused some real concerns to not only the pedestrians in the area and people that live in the area, particularly with small children, but also with cyclists.

So, one of the things that we say in Ashford is that the Millswood station, by that becoming a station that people can use, will certainly help break down the number of cars that we have going through the area, but it will also mean that people will get access to another part of public transport. We understand that the buses are available in that area, but we think, for whatever the small price is to redo the Millswood station and make it accessible, that this is something the government should put right up on the top of their transport agenda.

Time expired.

CRIMINAL LAW (SENTENCING) (SUSPENDED SENTENCES) 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 4, page 2, line 18 [clause 4(2), inserted subsection (2b)]—Delete 'either' and substitute 'any'

No. 2. Clause 4, page 2, line 20 [clause 4(2), inserted subsection (2b)(a)]—After 'crime offence' insert:

or specified offence against police

No. 3. Clause 4, page 3, line 2 [clause 4(2), inserted subsection (2b)(b)]—Delete '3 year period' and substitute '5 year period'

No. 4. Clause 4, page 3, line 10 [clause 4(2), inserted subsection (2ba)(a)]—After 'serious and organised crime offence' insert:

or specified offence against police

No. 5. Clause 4, page 3, lines 15 and 16 [clause 4(2), inserted subsection (2ba)(b)]—After 'serious and organised crime offence' insert:

or specified offence against police

No. 6. Clause 4, page 3, after line 26 [clause 4(3), inserted subsection (4)]—After paragraph (c) insert:

(ca) an offence under section 19AC;

No. 7. Clause 4, page 3, after line 32 [clause 4(3), inserted subsection (4)]—After paragraph (i) insert:

(ia) an offence under section 170;

No. 8. Clause 4, page 4, after line 14 [clause 4(3), inserted subsection (4)]—After the definition of *serious and organised crime offence* insert:

specified offence against police means—

- (a) an aggravated offence under section 23(1) or 23(3) of the *Criminal Law Consolidation Act 1935* where the aggravating circumstances of the offence are the circumstances referred to in section 5AA(1)(c) of that Act and the victim is a police officer; or
- (b) an offence of attempted murder or attempted manslaughter under the *Criminal Law Consolidation Act 1935* where the victim is a police officer and the offender committed the offence—
 - (i) knowing the victim to be acting in the course of his or her official duty; or
 - (ii) in retribution for something the offender knows or believes to have been done by the victim in the course of his or her official duty.

Consideration in committee.

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

That the Legislative Council's amendments be agreed to.

I just wanted to indicate, very briefly, that there were some moderate changes made to this legislation in the Legislative Council. Predominantly, they deal with giving additional protection to police officers who might be injured or assaulted, or whatever, in the course of their duties. I wish to indicate that the government intends to accept these proposed amendments. I can also say that we are pleased that the legislation with these amendments will now pass the parliament; it has been a matter of concern to me for some time and it is great to have some progress in this area. So, I thank all members in both houses for their constructive contributions.

Ms CHAPMAN: The opposition accepts the amendments as scheduled from the Legislative Council. We thank the members of the Legislative Council for their consideration of this legislation and the helpful amendments which they have presented. We note and acknowledge the government's acceptance of those. Obviously, it is important to, as best we can, recognise the aggravating circumstances when the victim is a police officer, and the redefining of a specified offence against police and the other amendments are welcomed by the opposition.

Motion carried.

AUDITOR-GENERAL'S REPORT

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (15:57): I move:

That standing orders be and remain so far suspended as to enable the report of the Auditor-General for the year ended 30 June 2013 to be referred to a committee of the whole house and for ministers to be examined on matters contained in the report in accordance with the timetable as distributed.

The DEPUTY SPEAKER: An absolute majority not being present, ring the bells.

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

Motion carried.

In committee.

The CHAIR: I am sure the shadow treasurer will quote from appropriate pages when he asks his questions.

The Hon. I.F. EVANS: Absolutely. In Volume 6, page 1949, the Auditor-General raises the issue that there was a \$408 million gain in the ETSA sale lease proceeds account arising from the brought-forward dividends received from the state's electricity corporations. Can the Treasurer advise how that money is treated? Does it impact, for instance, on the net operating balance, and what is the break-up of the years that it has been brought forward from?

The Hon. J.W. WEATHERILL: I am advised that this is essentially an accounting treatment change; it does not affect any of the government's fiscal aggregates. The administered financial statements include a once-off non-cash dividend of \$408 million representing an impact of a change in the accounting standard treatment of the 200-year electricity lease arrangements. Under the accounting standards enforced at the time of the transaction, the rental incomes from the land were deferred to be recognised over the term of the lease.

This accounting standard approach is required to be adopted for the audited financial statement, so under the ABS reported principles adopted for budget reporting, the proceeds were recognised at the time the cash was received. Recent changes to the accounting standards for leases have meant that this amortisation treatment can be discontinued for the property lease component of the electricity sale. This means the dividend revenue non-cash can be recognised in one year and this has been done for financial reporting purposes in 2012-13 but, in essence, it does not affect any of the fiscal aggregates that you would rely upon for any of the decision-making of government.

The Hon. I.F. EVANS: So that is a non-cash dividend? Is that what I heard you say?

The Hon. J.W. WEATHERILL: That is correct.

The Hon. I.F. EVANS: I think I know the answer to this, but just so I am crystal clear, I am assuming we receive no cash dividend from any electricity asset?

The Hon. J.W. WEATHERILL: Yes.

The Hon. I.F. EVANS: Same volume, page 1993, the Auditor-General reports that there was a \$62.7 million error. Can the Treasurer advise us of the nature of the error and what impact that had, if any, on the government's reporting as in net operating balance, etc.?

The Hon. J.W. WEATHERILL: Once again, it is an error that does not have any consequence for the fiscal aggregates that are relied upon for decision-making. What happened was, in accordance with the accounting standards, the error was corrected in 2012-13 by adjusting the opening balance of current payables in equity to remove \$62.7 million in payable from the statement of administered financial position.

Shared Services SA prepared a response to the Auditor-General, having raised that issue, and committed to reconciling all clearing and suspense accounts for DTF on a regular basis, so the prior period area does not impact on the department's administered budget; only the reported balances in the statement of administered financial position. So, it was identified as part of the 2012-13 DTF administered financial accounts preparation, and the balance of the current payables as at 30 June 2012, including accruals, totalling \$62.7 million that should have been reversed as the payments had been made in a prior period. That is the nature of the error; it has not carried through in affecting any of the fiscal aggregates.

The Hon. I.F. EVANS: Just on that, I assume that Treasury does monthly reconciliations, so how did the Department of Treasury, of all departments, miss a \$63 million accrual balance? Essentially what you are saying is that they were doing an accrual balance and they have missed it, so it has got to be done the next year. How does the Department of Treasury, which is supposedly the financial oversight body of every other agency, manage to miss this? Have we actually gone behind the reasons as to why they missed it?

The Hon. J.W. WEATHERILL: Yes; the reason is that the Auditor-General's report to parliament noted that this error had not been identified in prior periods because Shared Services SA financial accounting had not been regularly reconciling a number of DTF clearing and suspense accounts, and one of those clearing accounts contained the \$62.7 million in payables as an unreconciled balance. So, that is the reason.

The Hon. I.F. EVANS: On the same page number: I might be missing something here, but we had the Department for Health, which had a separate report done into them because of their lack of reconciliation process. This is a \$63 million error, admittedly picked up, due to a lack of reconciliation process. I am just wondering who in government sits across all the agencies and checks that the basic reconciliation processes are actually occurring? I would have thought that if one department got done over for lack of reconciliation process, there would be some oversighting process that says, 'What are all the other agencies doing?'

The Hon. J.W. WEATHERILL: It is obviously a matter for each agency, but all of those particular functions are now in Shared Services, so it becomes the responsibility of Shared Services. I suppose the next check is the Auditor-General, to identify that those processes have been properly handled. Here, an error was detected and then remedied. Obviously, this is a relatively early period in the life of Shared Services. This area has now been remedied, and obviously steps will be taken to make sure that it is not repeated.

The Hon. I.F. EVANS: When the Treasury department decided to set up Shared Services, before it was transferred over to Department of the Premier and Cabinet, and when they handed

over this particular function, did they set in place a set of financial performance standards that Shared Services had to meet (in other words, 'We require you to reconcile our accounts on a monthly basis or quarterly basis') or did all of the financial standards that Treasury had just get set aside and let Shared Services set up their new standards? Who was actually responsible for setting in place the financial reporting standards of Shared Services, if not the Department of Treasury?

The Hon. J.W. WEATHERILL: The Treasurer's Instructions set up the financial management framework. That applied when these functions were within Treasury, and the same Treasurer's Instructions and the same framework apply to the task now that it is being handled by Shared Services. All that has changed is that the function is now being performed by somebody different rather than the way in which that function is to be performed. That is the mechanism used for accountability purposes.

The Hon. I.F. EVANS: If the reconciliations now do not balance, that is a Shared Services problem not a Department of Treasury problem, even though it is the Department of Treasury account?

The Hon. J.W. WEATHERILL: As I said, there are the Treasurer's Instructions, the financial management framework and the internal audit processes with Shared Services and within the various departments for which Shared Services acts in transactions of this sort. Of course, sitting over the top of that is the Auditor-General. They are the various mechanisms which check these matters. In this instance, obviously, they failed but they were captured by the Auditor-General and they were capable of being remedied because of that.

The Hon. I.F. EVANS: Volume 1, page 103, in relation to the Art Gallery, refers to \$3.7 million worth of new working capital. Can the Premier give some background as to why this new working capital was required?

The Hon. J.W. WEATHERILL: Sorry, what was the page number again?

The Hon. I.F. EVANS: I had it as page 113. Premier, there is a series of dot points under the heading Income, and there is a 4.7 increase in revenues from the South Australian government. It mentions the financial sustainability to the Art Gallery and additional capital funding and also receipt of new working capital. What is the new working capital for?

The Hon. J.W. WEATHERILL: In the last budget, all of the major cultural institutions on North Terrace received additional funding because, on the basis of a report, they demonstrated that their costs had exceeded the funding that was provided to them. The Art Gallery was one of those that received additional funding, and there were some other capital works, or at least security upgrades, which are comprised in that figure.

The Hon. I.F. EVANS: I am aware of the security upgrade but, on the same line, in relation to the new working capital, was the \$3.7 million, or part of it at least, of new working capital paid in relation to a run-down of bequests and donations to the Art Gallery?

The Hon. J.W. WEATHERILL: I think our commitment was to ensure that the Art Gallery was in sufficient funds to meet the obligations that they had for working capital, and so that is what this funding is for. It is to ensure that they have the appropriate amount of funds on hand so that, as the various calls upon those funds are available or required, they are in a position to meet those calls.

The Hon. I.F. EVANS: Is the reason that you had to provide that because the Art Gallery had made commitments beyond the capacity of its existing working capital, because it had run down its bequests and donations program, so the only way it could meet its commitments was to get a top up of new working capital by the government?

The Hon. J.W. WEATHERILL: It really goes to that first point I made about the overall viability of the organisation. The organisation was not in a position to meet its obligations without this additional funding from government, which we provided to it. Obviously, the costs associated with doing the things that the Art Gallery needed to do were not capable of being funded through its existing income sources, so we had to supplement the revenues of the Art Gallery in this way.

The Hon. I.F. EVANS: Are you or the Minister for Finance taking questions on RISTEC?

The Hon. J.W. WEATHERILL: The Minister for Finance.

The Hon. I.F. EVANS: Alright; wise decision. Premier, in Part A, page 1 of the Auditor-General's Report, the Auditor-General makes this quote:

In general [terms it has] not seen a noticeable improvement across agencies in governance, financial control and accountability practices.

He then goes on to say on page 2:

...Audit follow-up of matters previously raised with agencies reveal instances where intended corrective action has not been taken by the agencies.

I just want to check how your government works in relation to the Auditor-General's Report. Does Treasury have an oversight role of all agencies in relation to the response to the Auditor-General's Report, or does each agency simply get the Auditor-General's Report and rely on the chief executives to take action in relation to whatever the Auditor-General raises?

The Hon. J.W. WEATHERILL: I think I have noted the Auditor-General's concerns regarding the prevalence of repeat issues in agencies and the nature of financial management issues continuing to rise in agency audits more generally, and I have written to all chief executives expressing my dissatisfaction with this. The chief executives have been asked to respond to Treasury with details of the processes they have in place, or plan to introduce, in relation to addressing this problem. So, essentially, the answer to your question is: I do have a supervisory role, as does Treasury, and we are implementing that advisory role through communication with chief executives.

The Hon. I.F. EVANS: Is the Premier concerned that the Auditor-General has to put not hidden away inside Volume 6 but right up in Part A that essentially there has been a reduction in the number of issues that he has raised, and repeatedly raised, and doesn't that indicate that your chief executives are essentially snubbing their noses at the Auditor-General? They get 12 months from one Auditor-General's Report to the next. It just seems extraordinary that the Auditor-General has to go to that length.

The Hon. J.W. WEATHERILL: I accept that, and that is why I have expressed my dissatisfaction that the Auditor-General has been forced to put those remarks in his report. Of course, the Auditor-General is to some extent a counsel of very high standards, but we should aim for the highest of standards in relation to financial management. I accept that that is a valid criticism. That is why I have acted to communicate my dissatisfaction with each of the chief executives and have asked the Treasury to supervise the responses coming back from chief executives.

The Hon. I.F. EVANS: So the responses coming back, is that now Treasury is oversighting every agency? Is it simply in relation to this year's Auditor-General's Report, or is that now a core role of Treasury ongoing?

The Hon. J.W. WEATHERILL: It has always been the role of Treasury to provide this oversight. It does that through Treasurer's Instructions and the general support it provides to me as Treasurer; but, in respect of this particular issue that has been raised by the Auditor-General we have put in place a particular process which requires chief executives to report directly to the Department of Treasury and Finance's financial management team, and those responses will be considered by the Under Treasurer.

The Hon. I.F. EVANS: If it has always been the role of Treasury, how has it got into this state? How is it, if it has always been the role of Treasury, as you just said in your answer, that the Under Treasurer has let it get to this point? And does the Treasurer get a report every month, or every quarter, of the outstanding issues or the progress in relation to the Auditor-General's Report?

The Hon. J.W. WEATHERILL: Each agency has its own audit committee that should be monitoring and checking responses to any criticisms or concerns raised by the Auditor-General on an ongoing basis. At the end of each year there is a process whereby the Department of Treasury and Finance reviews all of these matters and seeks assurances from agencies that these matters are being addressed. Obviously, the principal responsibility is with agencies and, to the extent that they have fallen down in relation to these matters, we are now taking steps to exercise a greater degree of control.

The Hon. I.F. EVANS: Part C of the Auditor-General's Report refers to the savings targets. The government has announced a roughly 5,000 reduction in the Public Service over the term of the forward estimates. Has the government resolved what programs are going to be cut to

meet that particular savings target, or is that a matter that is going to be dealt with year by year across the forward estimates?

The Hon. J.W. WEATHERILL: The savings initiatives fall into a number of categories: those where specific savings measures have been identified, which cover about half of the projected savings. Nevertheless, we provide general FTE estimates next to the balance of the savings task. About half of those have been specifically identified.

The Hon. I.F. EVANS: I assume the remaining half will be identified in those financial years post election.

The Hon. J.W. WEATHERILL: The numbers have been identified and the agencies have been identified. The specific programs are identified on a yearly basis.

The Hon. I.F. EVANS: Page 21 of Part C refers to the Department of Planning, Transport and Infrastructure reporting that actual FTEs are 160 below their cap. I know that Treasury gets monthly and quarterly reports on the FTE caps as part of its reporting process. It says that they are below the cap by 160 mainly due to vacancies and ongoing positions that are being filled by contractors. How many of the 160 FTEs under cap are being filled by contractors and who, if anyone? Is Treasury monitoring that, by being 160 under cap and then backfilling with contractors, they are not actually spending more money than employing them as 160 FTEs?

The Hon. J.W. WEATHERILL: We will bring back an answer on that, but the way in which capital programs tend to be managed in DPTI is to have the engagement of contractors because of the impermanent nature of the work associated with projects that have a beginning and an end. So, it is a rational way of handling it, but I can bring you back a split between those two concepts and how that comprises the 160.

The Hon. I.F. EVANS: I refer to Part B, Volume 5, page 1,557. There is a table at the top of page 1,558 which lists the investment profile of SAFA's investments, the majority of which is to South Australian government agencies. So, why is the majority of lending to asset classes that are credit rated AA-, given that that is not the current rating of the government? It is one above that.

The Hon. J.W. WEATHERILL: If I understand your question, it is that if we are lending money to principally the state government, why is a substantial proportion of the category on that table at AA- when our credit rating is higher than that? I think that table is about where we invest our money. Where we lend our money internally it might be to, for instance, SA Water as a state government agency, so it is really about the destination of our investments, which could be AA-. So, it is not really talking about where we are investing in relation to the South Australian government securities or processes.

The CHAIR: That concludes the Premier, Treasurer, Minister for State Development, Minister for the Public Sector and Minister for the Arts. We now go to the Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations and Minister for Business Services and Consumers.

Mr WILLIAMS: I refer to Part B, volume 6 at page 2,162 of the Auditor-General's Report for my first question. The average weekly earnings calculation to determine income maintenance has been criticised in the last three Auditor-General's Reports, yet the Auditor notes this year that errors are still occurring. If people are being overpaid income maintenance payments, does this have to be paid back, and are there any current estimates as to how much these overpayments may be in the current year?

The Hon. J.R. RAU: I thank the honourable member for that question. I am advised that from time to time there are overpayments. I have asked whether there is available a current number for that and I am advised that that would require some delving, so that bit I will take on notice. As to the nature of those, apparently they are reported amongst the recoveries numbers that are published and I am advised that they are actually pursued.

Mr WILLIAMS: I now refer to the next page, 2163, with regard to step-downs. Again, the Auditor-General has criticised, in a number of his reports, the step-down process, saying that it seems that step-downs in payments are not occurring on time. Is there an estimation of how much in overpayment has been made in the 2011-12 and 2012-13 financial years?

The Hon. J.R. RAU: Again, I thank the honourable member for his question. I am afraid my answer must be rather similar to the one I have just given, but I will take it on notice to get the details. If I might just say that both the calculation of average weekly earnings and the application,

or indeed existence, of step-downs are an example of some of the intricacies of this current scheme which make it more complex and difficult than it should be. So, I think it is, not that I want to give the honourable member too much credit but he quite rightly points at areas of the scheme that are concerning in that any errors of these types are not desirable. I will do my best to get more detailed information.

Mr WILLIAMS: I now refer to the same volume of the Auditor-General's Report but to page 2196, under point No. 10, which refers to consultancies. What was the value of the consultancy given to SA Unions entitled, 'Return to work fund project' that appears in both the 2011-12 and the 2012-13 WorkCover annual reports and what was the purpose of that consultancy?

The Hon. J.R. RAU: Again, I could speculate, but since we are in a committee of the house I will stick to the facts entirely and say that I will take that on notice, because I do not want to just take a stab at it.

Mr WILLIAMS: This will be my last question on this particular aspect of the minister's responsibilities. I refer now to page 2190, which has a table showing the investments of WorkCover. It seems that the vast majority of WorkCover's investments held in stocks are AAA credit rated. That opens up a series of questions. The government's policy seems to be that it is of little consequence whether the government has a AAA or AA credit rating. While I am pretty sure that there would be a better return available under a AA credit rated investment as opposed to a AAA, can you give the committee any idea of the difference that we would get between a AAA and AA credit rated investment, and does WorkCover's strategy sit neatly with the government's position regarding its own credit rating?

The Hon. J.R. RAU: Again, I thank the honourable member for his question. I think it might be difficult to give an exact answer to the question, but I will do my best. It is true that as a general proposition the rate of return on a AAA-rated investment is lower than a AA which, in turn, is lower than another less secure investment. I am advised that the actual spread between different classes of investments varies from time to time.

For example, during the GFC, the spread between AAA investments and others was greater than it is at a time of greater stability in the markets, and there are times where the spread difference between AAA and AA may be negligible. In other words, it is not like you can say, 'Well, AAA always returns 2 per cent less than AA,' or whatever. Apparently it does not work like that. It is a variable thing. That is probably about as far as I can take that answer.

The second point is that the corporation has its own autonomous investment policy which is, as I understand it, aligned more or less to default superannuation schemes, which means that it is a relatively high capital secure type with a moderate risk exposure for modest growth. If I am not mistaken, from the information that I am being given about a default scheme, I gather that it means that when a person with a superannuation policy does not specifically ask for a particular type, like high growth or capital preserved or whatever it might be, it defaults to this fairly conservative investment regime, and that is the policy that they have pursued.

That said, the policy has in the last year returned quite a good outcome for the scheme, and, viewed from the investment perspective, the scheme has performed quite well, but that obviously needs to be seen in the context of a stock market that has not been doing badly in the last year, and the yield on bonds has been moving around as well. It has been a good investment environment—that is probably the best summary of the last 12 months or so.

Ms CHAPMAN: To assist you in particular, I indicate that I will be asking questions of the Attorney as outlined under the Attorney-General's Department, commencing page 137 of Volume 1 of the Agency Audit Reports. Attorney, on page 144 and 152, there is reference made to the department's responsibility for the administration of the Victims of Crime Act 2001, and there are some specific findings in respect of this generally, and of the alleged fraud against the Victims of Crime Fund that was discovered back in August 2012. I will just start with the act itself, as the department is responsible for administering the act.

I have a copy of the 2009 annual report (that is, to 30 June 2009) of the Commissioner for Victims' Rights, Mr O'Connell, which was tabled in the parliament at the end of 2009. On my search, there have been no annual reports tabled in the parliament since (that is, for 30 June 2013, 30 June 2011 and 30 June 2012), nor for 2013, although, of course, it was only due at the end of September this year. Firstly, has the Attorney received these reports?

The Hon. J.R. RAU: I thank the honourable member for her question. I honestly cannot answer that. I have no particular recollection of them, but that does not mean that I have not received them; I just have no recollection of them. All I can do is undertake to try and get an answer to that question and find out what is going on. If they have been provided, then we will do whatever we are supposed to be doing with them. I am not really able to help you on the fly.

Ms CHAPMAN: Just for the record, I indicate that section 16F of the Victims of Crime Act 2001 requires the provision of a report to you each year by 30 September, and then, of course, you have, I think, some 12 parliamentary sitting days to table them. I will ask this, because you do have some advisers there: has there been any correspondence between your office and the Auditor-General's office about the non-filing of the annual reports of the Commissioner for Victims' Rights.

The Hon. J.R. RAU: Those that advise me say they are not aware of any such correspondence.

Ms CHAPMAN: I will refer to page 152, under the subtitle 'Recoveries from offenders', where it states that under the VOC Act, 'The amounts recovered directly from offenders during the year totalled \$797,000.' Is that correct?

The Hon. J.R. RAU: Insofar as I am aware, yes.

Ms CHAPMAN: How much did the courts impose on offenders in the last financial year in total?

The Hon. J.R. RAU: Just so I am clear on the question: we are starting off with the amount that we know was recovered; the honourable member is now saying to me, 'That is a fraction of a bigger number.' What was the total? We will have to take that on notice.

Ms CHAPMAN: Would it be correct to say that in the 2012-13 year, an additional \$7 million was imposed on offenders, yet only \$797,000 was recovered?

The Hon. J.R. RAU: Can you just repeat that? I am not sure anyone over here understood that.

The CHAIR: Is this the same page number?

Ms CHAPMAN: Correct. Would it be correct to say that in the 2012-13 year, which is the year subject to what we are talking about, an additional \$7 million was imposed on offenders, yet only \$790,000 was recovered?

The Hon. J.R. RAU: I think the problem is that I am not sure where the \$7 million comes from, because I am missing that reference in here; that is why I am having trouble answering the question.

Ms CHAPMAN: At the bottom of that page, dot point 2 states that outstanding amounts at 30 June 2013 were \$83 million, and then there is reference to monies that have been written off. What strategy is the government implementing to recover the \$83 million outstanding owed by the offenders?

The Hon. J.R. RAU: Again, we are drilling down into quite a bit of detail—which is fair enough and I am not being critical—and I just do not have people sitting here who can answer in that detail but I will get it. However, can I explain: if I am understanding the honourable member's questions properly, what we are probably talking about here is a great number of people who come before the court system and who are basically without funds and against whom orders are made. Those orders include perhaps a fine, imprisonment or whatever and then a victims of crime element, and those people are not paying those amounts.

There is no doubt that some of those people will never, in a month of Sundays, pay those amounts for a whole range of reasons. It is also true that some of those amounts are potentially recoverable. What I would like to get some information on and what I will get back to the honourable member about is—as the honourable member would be aware—we have recently put in legislation that has now gone through to create a fines recovery unit. That fines recovery unit will be functional come February.

What I want to ascertain, because I do not want to mislead the member for Bragg, is the extent to which the fines recovery unit will have the capability of being in the market pursuing these funds, as well as the fines which are associated with the court orders which give rise to the victims of crime—but we will confirm that.

Ms CHAPMAN: Still on that, you will see there that since the inception of the fund \$54 million has been notionally written off. In the preceding year it suggests that it was \$53 million so it is possible that that could be an extra million. Could you also provide the detail of how much was written off in the subject financial year, which is to 30 June?

The Hon. J.R. RAU: We will do that, yes.

Ms CHAPMAN: Can the minister also provide a detailed breakdown of where the \$49 million of income from the 2012-13 financial year came from—that is also referred to on page 152.

The Hon. J.R. RAU: I can help you with that one. At last I can answer a question; it's good; it's fantastic! I am advised that it is made up as follows: victims of crime levy, \$34,896,000; appropriation, \$7,650,000; interest, \$3,505,000; recoveries and other income, \$3,122,000—giving a total of \$49,200,000.

Ms CHAPMAN: While you are on a roll, could you also provide a detailed breakdown of the \$11 million of payments from the victims of crime fund and how that was spent, including administrative costs?

The Hon. J.R. RAU: I will try to answer that question because I have information about all of the outgoings, which are not just those, so I might as well put it on the record as well. I am advised that the expenses for that same period are as follows: payments to victims of crime, \$10,838,000 (which is close enough to \$11 million); grants, \$3,445,000; employee costs, \$1,145,000; and other expenses, \$3,106,000—making a total of \$18,534,000. Apparently it is all detailed on page 197.

Ms CHAPMAN: That may cover it, but the follow-up to that is there is a reduction in the number of payments totalling \$11 million or thereabouts. It has significantly decreased from \$16 million. Is there any reason for that?

The Hon. J.R. RAU: Yes, I have some remarks that might be helpful in this regard. There are a number of reasons for the decrease in the claim payments for this year of 2012-13. It is difficult to quantify which one has contributed to what extent, but I will give you a number of elements that, I am advised, have contributed. First of all, there was a decrease in the number of new claims lodged in 2012-13. There were 1,719 applications received in that year compared with 2,024 in the preceding year.

Secondly, I am advised there has been increased scrutiny on claims which has, in fact, caused a slight increase in the time frames for assessment. Fewer claims were settled, ultimately, in the year 2012-13 compared with the previous year. In 2012-13, the number was 860; in the previous year it was 1,292.

I think the honourable member would probably appreciate that, given the fact we have had that fraud issue in the area, there was obviously a period of time during which there was a suspension in effect of payments because everything was being reviewed and checked to make sure that the discovered fraud was not being perpetuated by matters that were in the pipeline, so to speak. That caused a revision of a number of matters. That process has now been fully conducted and has worked its way through the system. I am advised that it is expected that payments to victims will again increase significantly in 2013-14 because at least that factor has been removed.

Ms CHAPMAN: On page 153, the cash balance of the fund as at 30 June 2013 is recorded as \$132 million. What is the current balance of the fund?

The Hon. J.R. RAU: Yes, I am advised that, as at 30 September, the balance was \$139 million.

Ms CHAPMAN: Can you explain this, Attorney? Why is it that the Auditor-General's Report discloses on page 153—on information, I presume, from your department—that the fund as at 30 June is \$132 million, yet the Treasury financial statements, under statement F, which is in volume 6, page 16, describes the balance of this fund at \$134.26 million? Which one is right?

The Hon. J.R. RAU: We will have to check it out. Obviously, the numbers move around.

Ms CHAPMAN: It is all at 30 June.

The Hon. J.R. RAU: I understand. There is clearly, if those numbers are correct, some discrepancy between the two, and we will do our best to find out why.

Ms CHAPMAN: I would have to say that it is not the first time in 11 years that that has been different—not necessarily in your portfolio but in others. I am not sure whether the departments are at fault there or whether the Treasury office is—it is a bit worrying either way.

In any event, can we go back to the audit of the Crown Solicitor's Office reviewing the problems, of course, which needed to have changes and controls, etc., in the office as a result of the fraud. A PricewaterhouseCoopers report is referred to, which is to deal with the special review. Has the Attorney or, indeed, the Crown Solicitor's Office, received the report? If so, will that report be made public and, further, at the very least will you make the recommendations available to the public?

The Hon. J.R. RAU: I will attempt to get a fuller answer to this, but the best I can do at the present time is to say this—and I need to be a little careful about what I say, Mr Deputy Speaker—there are present criminally—

Ms Chapman: I'm talking about processes.

The Hon. J.R. RAU: Yes; that is something that is under consideration because obviously we do not want to interfere with what is going on in the criminal courts. I will get some information about that. I do want to say again, though, if I might, that I congratulate the officers of the Attorney-General's Department who actually identified this anomaly themselves and immediately alerted senior officers in the department who spoke to me, and we actually reported this to the Auditor-General ourselves.

This was not discovered by the Auditor-General picking over things and finding a problem. I do want to say how well I think that reflects on the integrity of the officers in the Attorney-General's Department, that there are people there who were sufficiently vigilant to be alerted to this. They had sufficient confidence in their senior managers to take the matter up with them, and they had sufficient confidence to bring that forward and to be entirely comfortable and, in effect, self-disclosing to the Auditor-General, which is what should happen.

Ms CHAPMAN: On the Crown Solicitor's Office, how much was spent on the contracting of private sector legal advice over the last financial year, and how did that compare with the preceding year?

The Hon. J.R. RAU: I am not sure we have got the year before in front of us, but I am advised that the amounts paid to private providers under Treasurer's Instruction 10, which I believe is the relevant one, was an amount of \$9,257,000.

Ms CHAPMAN: I have one other question which relates to the Criminal Asset Confiscation Act. It is at about point 9 on page 152: \$2.3 million was recovered from offenders pursuant to the Criminal Asset Confiscation Act 2005. Attorney, you tabled the Director of Public Prosecutions' annual report today in parliament, and that confirms near enough to \$2.320 million as being the moneys deposited in the victim's of crime fund from criminal assets confiscation. However, on page 20 of that report it goes on to say that in the financial reporting of that agency (the DPP) 413 revenue was received from the victims of crime fund to finance the office's confiscation of proceeds of crime activities. Is it in fact the situation that the net amount received from confiscated assets is the difference between those two?

The Hon. J.R. RAU: I believe the answer to that is yes, but we will confirm.

The CHAIR: Thank you to the Deputy Premier and the Deputy Leader of the Opposition. That concludes Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers. We now go to the Minister for Health.

Dr McFETRIDGE: The reference is Auditor-General's Report, Part B, Volume 2, page 724. This intrigued me as soon as I saw it and I want to know how I can apply. There is one person being paid in the bracket between \$708,000 and \$717,999. Can you provide details about that position, the person's responsibility and whether this involved any payout or recurring remuneration?

The Hon. J.J. SNELLING: Basically, when I took over the portfolio you may recall that there was a restructuring. There was an executive position abolished and so this payment is for that person. It incorporates all accrued but unpaid leave, plus whatever fees he had to be paid as part of the termination of his contract. So, it is not actually a salary. You will notice in the note that it includes all other extra payments other than salary.

Dr McFETRIDGE: On the same page, under Note 7, interstate patient transfers dropped from \$39.3 million in 2012 to \$8.6 million in 2013. Can you give the committee reasons for this?

The Hon. J.J. SNELLING: Last year's figure was excessively large because there was a backlog that needed to be cleared. As a result of that, it overstates the previous years. The figure that is stated there is more in keeping with what you would expect it to be.

Dr McFETRIDGE: On the same reference, Note 7, communications costs increased by 25 per cent from \$10.2 million to \$12.7 million. Can you tell the committee what the reason for that is?

The Hon. J.J. SNELLING: It is not a particularly large sum of money, given things, and it would be due to a raft of different issues. There would be lots of things that would make that up. Communication expenses related to the eHealth non-computing IT expenses: these are variable on the LHN's expense. It is done centrally and then recharged. The increase is due to increased activity in the LHN and is consistent with a rise in the recharged revenue.

Mr HAMILTON-SMITH: Please do not read anything into this question other than diligent curiosity from the opposition, because we are going through these issues piece by piece. I notice on page 406 of the report and in the report more completely references to the number of employees within Defence SA and their various roles. Could you just provide me with some guidance as to what those people are doing?

The reason I am asking the question is I am just wanting to be able to assure the house or for the house to be assured that the manning levels within Defence SA are up to the task and that there is no fat there either and that everyone is fully employed. So, if you could just run over for me exactly how many people we have got, how they are being deployed and whether we have been diligent about assuring that we are running a lean ship.

The Hon. J.J. SNELLING: The total number of staff is 28; 10 of those are at the Common User Facility and are employed there. The other 18 work out of Defence SA's office in Pirie Street. In terms of the executive positions, you have obviously the chief executive, Mr Andrew Fletcher; Maintenance Manager of the Common User Facility; Director of Strategic Policy and Planning; Director of Marketing and Communications; Director, Maritime; Director, Land; Director, Aerospace; General Manager, Corporate Services; General Manager, Common User Facility; General Manager, Corporate and Government Relations—so, basically, the different market segments of defence are broken up into maritime, land and aerospace. There is a director who works in each of those different areas.

They work very closely with me and my office and with the Premier's office in working with both existing companies who are currently located in South Australia, working with potential entrants to South Australia, identifying defence opportunities in the various segments, and, of course, they liaise very closely with defence officials in Canberra, both civilian and non-civilian, making sure that South Australia's interests are represented. I think, by any measure, Defence SA has been incredibly successful.

The fact is that, since the government came to office, the total domestic defence spend in South Australia, which attracts 25 per cent of that total spend, is significantly up, so I think on any measure you would say that Defence SA has been incredibly successful. They are just brief details. I would be more than happy to provide the member for Waite with a more detailed breakdown of each of the employees and exactly what they do.

Mr HAMILTON-SMITH: Thank you, minister, that will not be necessary. We just want to be sure we are running a tight ship, so to speak, to keep with the naval jargon. My next question has to do with the Maritime Skills training centre. Could the minister explain to the house how funding for the Maritime Skills training centre is deployed and, in particular, confirm who owns the building, what are the leasing or access arrangements for those who occupy it, who are the tenants in the building and, essentially, what are the government's financial plans for the Maritime Skills Centre going forward?

The Hon. J.J. SNELLING: We built the Maritime Skills Centre. We own it. We licence the Australian Submarine Corporation to run it, and they do so at nil cost. They have first right of use. If there is spare capacity then third parties can use it, but at the moment it is effectively full, 95 per cent usage. There is a board which oversees it. On that board is a representative from me (I am represented by Defence SA) and a representative from the minister for employment, training and further education (I presume it is an official from our friend DFEEST who represents her on

that board). ASC is certainly very happy with it and it is seen as being a great success. ASC has those rights of usage, basically, for the life of the air warfare destroyer contract.

Mr HAMILTON-SMITH: Final question. Is it still the government's intention with respect to the infrastructure that we have built down there, referred to on page 407, for the site to accommodate a second major shipbuilder? If, for example, a company other than ASC were to bid for a future run of ships, say the frigates or, for that matter, any of the ships forthcoming in the build over the next 30 years, do we still have the land provision?

Is it still part of the growth plan for us to have a second builder there? How would the government bring that about, should it be approached, given that ASC might not welcome the idea of having a competitor co-located beside it at the ship lift? In particular, are there any impediments that might obstruct a second shipbuilder from leasing premises and facilities at the site?

The Hon. J.J. SNELLING: No, there's not. It was built as a common user facility and we welcome new activity on that site from wherever it might come. It might come from an expansion of ASC's operations or from a new entrant operating on that basis. We have reserved land on the other side of Mersey Road and we have an MOU with the commonwealth for about seven hectares on that block of land. We welcome new entrants. There is nothing that would prevent new entrants from having a presence on that site; it is something we would welcome. At the end of the day, we want to see more activity. We are not really that fussed where it comes from, whether it comes from ASC or from another shipbuilder.

Dr McFETRIDGE: I am pleased to see that the Old Gum Tree, in my electorate of Morphett, is on the cover of the Auditor-General's report this year, which is a good start—what is inside it, has some issues though. I refer to Part A, Audit overview, page 40, and I cannot remember how many times I have spoken in estimates, and to this Auditor-General's report, on the Oracle Corporate System, and we are going back to that again this year but, more particularly, the interdependence of Oracle and EPAS, the Electronic Patient Administration System. On page 40, the Auditor-General says:

Audit therefore notes that any delays in the rollout of either EPAS or OCS could have an impact on the rollout schedule of the other system.

Minister, what is the latest rollout schedule for EPAS and what is the latest expected completion date for the rollout of EPAS?

The Hon. J.J. SNELLING: My advice is that what the Auditor-General is getting at is the project management issues around the two projects. They are both significant projects and, in terms of timeframes and so on, they are both connected, but only in the sense that there are project management issues, with one having an effect on the other. With regard to EPAS and timeframes, we have had a successful rollout to Noarlunga Hospital and Noarlunga GP Plus.

A gateway review is now being undertaken by an external organisation of consultants who are looking at how the Noarlunga rollout has gone, what problems may or may not have arisen, and what we can learn from the Noarlunga rollout before we undertake further rollouts to other locations. The next location is the Repatriation General Hospital and, provided that the gateway review gives us all the ticks that we need, we will expect to proceed with the Repat by the end of the year and then we will conduct further rollouts. In total, under the current scope, we will have the rollout completed in the next two years, approximately. I do not have the precise date, but it is approximately two years.

Dr McFETRIDGE: On that same reference, minister, and referring to your answer about Noarlunga, on 15 October you told the house, and I quote from page 7242 of *Hansard*, 'The rollout of EPAS to Noarlunga has been incredibly successful.' Do you stand by that statement, minister, because just before coming into the chamber, I looked at the emergency department dashboards, and Noarlunga Health Service does not appear on the inpatient dashboard. Noarlunga Health Service does appear on the ambulance service dashboard but, as has been happening for as long as I can remember when looking at the dashboard, all of the statistics are not available for Noarlunga Health Service.

The Hon. J.J. SNELLING: I certainly stand by that statement; it has been incredibly successful. When I was at Noarlunga Health Service, I saw that it was broadly accepted by clinicians, both nurses and doctors. The rollout was incredibly seamless and went very well. As to Noarlunga not being on the dashboard, I will need to find out the reasons for that and whether they are connected to EPAS, and I am happy to get back to the member for Morphett with an answer.

Dr McFETRIDGE: On that same reference, my understanding of the rollout at Noarlunga is that some doctors are so frustrated that, even though they have admitting rights to Noarlunga, they are not admitting patients because the admitting process is so complicated. I heard that in one case a doctor had to go through over 40 screens on a computer to try and admit a patient there. I am also hearing that the KPIs at Noarlunga are blowing out and that is why it is not on the dashboards.

The Hon. J.J. SNELLING: Those complaints have not been made to me that I am aware of; I am more than happy to investigate. If the member for Morphett wants to provide me with the identities of who these people are, I would be more than happy to speak to them and hear from them personally about what their frustrations are. So, I would be very, very surprised.

Without doubt, EPAS is a significant cultural change in the way work is done in our hospitals. It is more than just an IT project; it is in fact a culture-change project where the entire way of looking after patients—of conducting medical records, of keeping those records, of ordering pathology tests, of ordering radiology tests, of ordering drugs for a patient—is a completely different way of operating.

I would have been very surprised if there was no-one who had had some frustrations in adapting to this new system. I went down there the week after it rolled out, and in the conversations I had with conversations with doctors and nurses I did not receive anything but praise for how it was going. As I said, if the member for Morphett wants to have whoever it is who has spoken to him contact me and my office, I would be more than happy to have a conversation with them to hear what their frustrations are, but that is certainly the first I have ever heard of it.

Dr McFETRIDGE: I don't think they will be contacting you, minister. Unfortunately, they—

The Hon. P.F. Conlon: I don't think they exist.

Dr McFETRIDGE: Oh Patrick, there are only eight days to go, mate; be nice, will you? Moving on to Part A, page 41, the Auditor-General says:

At the time of preparation of this Report Audit is unaware of whether the proposed changes to the rollout schedule will have an impact to the overall projects costs and estimated benefits.

The question is, minister: since the release of the report, has there been any indication that this further delay to the rollout schedule has had an impact on the overall project costs for the Oracle system?

The Hon. J.J. SNELLING: No.

Dr McFETRIDGE: Excellent, so we are getting value for money for our \$443 million, is it?

The Hon. J.J. SNELLING: You are confusing EPAS with Oracle. EPAS is \$400 million. The budget for Oracle is around \$60 million.

Dr McFETRIDGE: The budget for Oracle—the whole of the Oracle system—is \$60 million, is it now?

The Hon. J.J. SNELLING: Yes, \$60 million; EPAS is \$400 million. You are confusing your IT projects.

Dr McFETRIDGE: Well, they are interrelated, as the Auditor-General points out here. Minister, the next reference is Part B, volume 2, page 725. The royalty stream dividends dropped from \$76 million to zero. Are you able to give the house an explanation for that?

The Hon. J.J. SNELLING: It is related to the sale of BioMarin; there was a one-off benefit in the previous financial year from that, and that is what that \$71 million reflects.

Dr McFETRIDGE: Sorry, minister, I missed the answer; it was—

The Hon. J.J. SNELLING: BioMarin.

Dr McFETRIDGE: Page 729, Note 17—Intellectual property sale dropped from \$83.2 million to \$1.9 million. Can you give some information on that?

The Hon. J.J. SNELLING: It is the same thing.

Dr McFETRIDGE: Page 729, Note 18—what is the explanation for the DTF contingency funds increasing from \$56.2 million to \$149.8 million?

The Hon. J.J. SNELLING: In relation to the realignment of savings that was announced in last year's Mid-Year Budget Review, that is the way they are presented in the financial statement. It is called DTF contingency funds rather than appropriations. Basically it is related to the reprofiling of the savings that was done in the Mid-Year Budget Review last year.

Dr McFETRIDGE: The next question is from page 702 of that same volume. Audit found a consultant claimed and was paid—let me get that reference because I think there is a typo in the quote here. The question was: what is the extent of the payment area determined as incorrect and what action has the department taken to fix the problem of an overpayment to a consultant? I will get you that actual quote because—

The Hon. J.J. SNELLING: Just give us the reference, please.

Dr McFETRIDGE: It is page 702, the first paragraph. The review found that the work that appears to be the continuation of the consultant's regular duties have been claimed and paid as a recall. In addition it was found that the consultant's timesheets were not always prepared correctly. The question is: what was the extent of the payment area determined as incorrect and what action has been taken to recover it?

The Hon. J.J. SNELLING: Doctors are terrible at filling out their timesheets and it is an ongoing problem that we have in the department. Wonderful they are, saviours of lives, incredibly skilled and intelligent people but they are terrible at paperwork. What happens with senior consultants is that they have certain hours of work and if they have to be called in after hours then they are entitled to a recall payment which is what the Auditor-General is there referring to. We have had persistent problems in making sure that those payments are paid correctly because of the difficulty in getting consultants to put in timely and accurate timesheets.

We are developing guidelines, as the Auditor-General has pointed out, for completing medical officer timesheets and the government is interacting with Shared Services in the development of an action plan to follow up payment errors. We are doing what we can to rectify these areas when they occur but we need to work with these senior medical officers to make sure that they put in accurate and timely timesheets.

Dr McFETRIDGE: The next reference is that same volume on page 727, funding for not-for-profit organisations, and the second to last one there, the Australian Drug Treatment and Rehabilitation Program. That received \$343,000 in 2012 and nothing in 2013. Can you tell the house what is going on there?

The Hon. J.J. SNELLING: I do not have any exact detail but if my memory serves me correctly—and I will double-check this and get back to the member for Morphett just in case I am wrong—it is ADTARP. There was a contract that the government or Department of Health had with ADTARP. It was providing rehabilitation services to people with narcotic addictions. The contract was not renewed and it was not extended. There was an evaluation and process around it. I do not have any information about the results of that. I was not the minister at the time but my understanding is that as a result of the evaluation that was done the government made the decision not to renew the contract.

Dr McFETRIDGE: Back to page 704—Payroll. The Auditor-General indicated that:

For a number of years the Department has not given adequate attention to remediate bona fide authentication. In the absence of a robust bona fide process, the Department has no assurance that all employees paid through the CHRIS payroll system are valid.

Minister, what steps have been taken to rectify the situation, and what has been the cost so far?

The Hon. J.J. SNELLING: Payroll processing for SA Health is undertaken by Shared Services. The following control weaknesses were identified:

- timesheets are not always being reviewed and approved appropriately;
- bona fide reports are not consistently managed;
- Shared Services payroll reports are not being prepared, reviewed, certified and retained consistently; and
- performance of reconciliations between payroll systems and general ledger not being performed in a timely manner were not being independently reviewed.

That is what is in the Auditor-General's Report. As noted by audit, corrective action has been taken to address such issues, including the reconciliation of payroll-related accounts as at 30 June 2013. SA Health will continue to work with Shared Services to improve these controls, noting the effectiveness of such remedial action will be the focus of the 2013-14 audit.

The CHAIR: I thank the Minister for Health and the member for Morphett. That concludes the examination of the Minister for Health and Ageing, the Minister for Mental Health and Substance Abuse, the Minister for Defence Industries and the Minister for Veterans' Affairs.

Progress reported; committee to sit again.

YOUNG OFFENDERS (RELEASE ON LICENCE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 October 2013.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (17:37): I rise to speak on the Young Offenders (Release on Licence) Amendment Bill 2013 and indicate that the opposition will be supporting the bill. We are considering this bill, which is to amend the Young Offenders Act 1993, as a result of a judgement of the Hon. Trish Kelly of the Supreme Court, in which she has referred a question of law for consideration of the Full Court of the Supreme Court of South Australia, which is expected to be heard by the end of November this year, so time is of the essence.

The situation is this: the question of law that has been referred for consideration by the Full Court arises out of an application by two young men who are currently in prison—specifically, a youth training centre—who have made an application through their counsel to apply for release on licence; that is, release from custody. In 2009, Justice Margaret Nyland, I think, heard a case, and I assume the jury found that, on charges where two youths were among four youths and an adult, all were convicted in December 2009 for the gang bashing and ultimate death of a Mr Akol Akok. He was 26 years of age. The tragic circumstances surrounding this all occurred at Pennington. The five were convicted by a jury in November 2011, when bail was revoked, and sentencing by Justice Nyland occurred on 11 July 2012.

One of the youths seeking release was 16 at the time, and is now aged 19. He received a life sentence with a non-parole period of five years. The second was aged 15 at the time, and is now aged 18. He received a life sentence with a non-parole period of six years and two months. Justice Nyland ordered that the pair serve their sentence in a youth training facility until the end of this year, and then both will be transferred to an adult prison. They are the sorry circumstances surrounding the case which is now the subject for consideration by the Full Court, in particular the applications for release on licence which, as I understand it, were lodged in May and July this year, respectively, for each of the youths.

There was a hearing in September and, as I understand from reading some commentary on the case, essentially the prosecution argued that section 37, which is under consideration today, of the Youth Offenders Act, only applies to youths who are not subject to a non-parole period. As members who are following this debate would be aware, in any event, section 37 makes provision for the opportunity for people to apply for release on licence available to juvenile offenders.

The prosecution further argued that the original function of section 37 was to provide a mechanism by which a youth with no non-parole period, and thus no other means of release, could be released. However, the counsel for one of the youths has argued that section 37 provides a mechanism to facilitate early release of a youth on licence prior to their removal to an adult prison. He is obviously arguing for a broader interpretation and, therefore, to receive some opportunity on behalf of his client for release.

Why are we here? We are here because the government—and the opposition agrees with this—takes the view that it would be unacceptable for the two youths in question to be able to succeed in their application when the history of the development of the law and the intentions of both previous and current governments are such that juveniles should be clearly determined (that is, youths who are convicted of murder) and should be sentenced as adults, and that includes having a minimum non-parole period.

There is a history of the development of the laws in this regard, and there are a couple of aspects which I wish to refer to. As the law currently stands, if a youth is found guilty of murder then, in accordance with section 29(4) of the Young Offenders Act and the Criminal Law

Consolidation Act 1935, that youth must be sentenced to life imprisonment. The courts have taken the view that, when sentencing a youth to life imprisonment for murder, it is only appropriate that the youth be sentenced as an adult. However, this position should be clearly reflected in the statute.

This bill makes an amendment to section 29(4) to provide specifically that a youth who is being sentenced to life imprisonment for murder be sentenced as an adult. The amendment will also ensure that, in all cases where a youth is being sentenced for murder, the court will continue to apply section 32 of the sentencing act due to the operation of section 31A. As members may be aware, when it commenced, the sentencing act did not apply to the sentencing of children.

There is a history to legislation reform and case law back from the mid-1980s where there was the development of the ultimate standard to be accepted, and that is that in the serious offence of murder and, in addition, where repeat offensive behaviour forms part of a pattern of repeated offending, the youth should be dealt with in the same way as an adult. It has not been unusual for youths from 15 or 16 on to be treated as an adult for serious offences. Quite often they serve their sentences until past the age of 18 years in the youth detention facility, and there is accommodation for that.

In this particular case, the young people are now both adults and, under Justice Nyland's sentencing requirements, they would be transferred to an adult prison at the end of this year. The clarification of this law has all the hallmarks of being introduced to deal with this specific case. It is not a practice which the opposition or even the government would be one to allow the application of legislation to respond to a particular person or activity.

In fact, we have a process in the parliament that, where a particular person or entity is to receive the benefit or application of proposed laws, it is described as a hybrid bill and there is a process by which there is a consultation, compulsory conferencing, opportunity for submissions to be received and careful consideration of the matter before it is progressed. In general terms, it offends the principle that laws should apply to everybody rather than be dealing with specific persons. In that way, we would not be violating a principle which ensures that people are equal before the law and can expect to be treated as such.

I think it is fair to say that, although the particular circumstances of this case have triggered the bill—and that has been quite openly acknowledged by the government—it is their expectation that it could apply to other parties. Whilst there is a question of time being of the essence to deal with ensuring that any right to apply for a licence for release is extinguished in this particular case, there are other cases where that may apply.

I do not know, but it is possible that I was reading the annual report of the Director of Public Prosecutions, which was tabled by the Attorney today. Members would be aware that, in the case of *R v JW*, a youth was charged with a count of murder; it was alleged in 2010 when JW was 14 years of age. He was part of a joint enterprise with another 14-year-old boy, JT, to murder 63-year-old Pirjo Kemppainen. JT pleaded guilty to the murder of Mrs Kemppainen. At committal, he received a discount for his sentence for his promise to give evidence to the prosecution in the trial of JW.

There is reference in the DPP's report to the circumstances, but I think it is fair to say that members would be familiar with the reporting of the circumstances surrounding this case. One can only think in horror about the fate, and circumstances preceding it, of Mrs Kemppainen, particularly that at her age she should suffer at the hands of these children in such a cruel way, and I think it offended the senses of any decent person. I will not go into the particulars of what occurred, but suffice to say that there was a decision and an enterprise in which she was found murdered and, whilst there were some legal questions about joint enterprise, one of the parties was found not guilty.

The whole sorry case is there, and it just highlights for us that even in this last year we have had cases where children are involved in obscene and very serious crime and which understandably have the reaction from the community and expectation that they will serve a severe penalty and that whatever is administered is actually executed in the administration of justice.

We are not provided, in the second reading from the Attorney, with any detail of what other cases are likely to be, potentially at least, the subject of an application for licence to avail of this if we do not pass this piece of legislation, but I think it is something that we should be privy to, and I would ask the Attorney to provide that information. I think it is important for the parliament also to be reassured that there are other potential cases where an application could be made. I would

certainly feel much better progressing the legislation, which for the reasons the Attorney has pointed out is necessary, if we could be satisfied that there are other cases in the wind.

From the sentencing remarks of Her Honour Trish Kelly, it seems as though this is the only pending application before the courts, but perhaps the Attorney could provide an indication of how many children are in the two categories of either being convicted of murder and/or repeat behaviour—it is two categories, in fact, that this covers—who could be eligible to apply for a licence prior to the expiration of a nonparole period and who are currently in our prison/youth training system.

Secondly, I think from the point of view of providing some reassurance to the public that this is—it is sad, actually—not a one-off occasion as to how many children have been convicted of murder (perhaps in each of the last five years) in South Australia and what sentences were issued with respect to convictions for each of those.

So, I would ask that material be provided. If it is not available to the Attorney during the course of this debate, and I think there are a couple of other members who may wish to make a contribution, I would certainly like to have some of that information available. It is a very sad situation but I think we need to ensure that we are passing legislation to not only prevent an injustice in this particular case but that we have some reassurance that it is necessary—sad but necessary—that we make provision for this in this legislation.

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

Mr VAN HOLST PELLEKAAN (Stuart) (17:56): I rise to reaffirm the opposition's support for the Young Offenders (Release on Licence) Amendment Bill 2013, and I do so as the shadow minister for police, the shadow minister for corrections and also representing the expectations of my electorate of Stuart. For me, this is not about removing any rights that a convicted murderer has, other than a technicality which exists which would, unexpectedly, allow a young offender to apply on licence for release.

The intention of the law is that convicted murderers be sentenced as adults. The fact that one convicted murderer is serving a sentence in a youth training facility should not allow that person to apply for release prior to the expiry of the non-parole period. The higher priority is the murder conviction and that the non-parole period be fully served, rather than any unintended leniency associated with where the sentence is being served.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (17:57): Can I thank the contributors. There are couple of quick points I would like to place on the record. The first point is that I will try to ascertain whether there is information available of the nature requested by the honourable member for Bragg about how many other people might be in a similar category, although I have no idea as to how easy or difficult it may be to obtain such information.

I make the point that we need to bear in mind that this particular circumstance is something that nobody had ever turned their mind to, so now that people's minds have been alerted to this problem I imagine there is a whole raft of people who might, for the first time in the last week, be turning their minds to whether or not they might fit within this and it might be difficult for us to ascertain how many people might fit into that category and even more difficult to ascertain how many might decide to take it up. I just put that on the record.

The other thing I wanted to say was something which I hope is helpful to the members and I certainly want it on the record for those in a different place. I want to make it clear that we are here about this matter not because of one case, but because this argument has raised a point of broader general principle. The point is that a youth convicted of murder should only have one bite of the cherry, and that is a non-parole period—one bite of the cherry: a non-parole period—and not a second go via an accidentally leftover provision which was, in fact, overlooked from the previous regime which was designed in a time and in a regime where there was no non-parole period.

It is not just about this case; it is about what turns out to have been a drafting oversight when the policy changed from there not being a nonparole period to there being a nonparole period, and inadvertently the interplay between that change and the provision of a licence regime in this context was not considered. This case has thrown that up.

What I can say without any shadow of a doubt is that now that this genie is out of the bottle, whether there are two, three, five or 10 people sitting somewhere now who might want to jump through it, it is absolutely certain that if we do not fix it in the future there will be other people who want to jump through it. It is clearly an anomaly.

It was clearly never intended that people who are convicted of murder should have the benefit not only of a nonparole period but of a release on licence as well. That was never intended. What we are actually doing is aligning the law with what everyone thought the law did—that is it. I thank everybody for their contribution.

Bill read a second time.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (18:01): I move:

That this bill be read a third time.

Bill read a third time and passed.

ELECTRONIC CONVEYANCING NATIONAL LAW (SOUTH AUSTRALIA) BILL

Adjourned debate on second reading.

(Continued from 5 June 2013.)

Mr GRIFFITHS (Goyder) (18:02): I confirm that I will be the sole speaker for the opposition and that we do not oppose this bill. We recognise the great history South Australia has with the Torrens title system (from 1858, I believe, the Real Property Act), but this is about some movement forward in technology to allow different methods to be used. The bill was introduced on 5 June by the Attorney, and it is designed to make provision for a national law relating to electronic conveyancing.

The establishment of national electronic conveyancing is an initiative of the Council of Australian Governments to provide a single national electronic conveyancing system for use throughout Australia. In February 2009, the commonwealth, state and territory governments entered into a national partnership agreement to deliver a seamless national economy. Development of the National Electronic Conveyancing System as a single national system was included in the agreement as one of 27 initiatives.

As part of the intergovernmental agreement, the Australian states and territories established the Australian Registrars' National Electronic Conveyancing Council to ensure a consistent national approach in the regulation of national electronic conveyancing. The Chair of that council is the Registrar-General of the Land Titles Office in South Australia, and he was appointed for a two-year period. In March 2012, the council released the national Consultation Regulation Impact Statement for the Electronic Conveyancing National Law seeking feedback from industry.

I am aware that individual state project teams have worked on legislation relevant to their jurisdictions. In relation to the South Australian legislation, minor amendments were made to the national model, and the Electronic Conveyancing National Law (South Australia) Bill 2013 is significantly similar to the national model.

South Australia's national project team is led by the director of business operations from the Land Services Business Reform Program. It is proposed that legal practitioners, conveyancers, banks and mortgage processors will access the national electronic conveyancing system, either through system-to-system web services or via the internet, bringing land titles administration into the 21st century.

The key benefits are designed to include business and consumer convenience; business and industry efficiency gains ultimately passed on to consumers—and that is a very important area; a single interface for national businesses; common functionality for users of all jurisdictions; increase the accuracy of transactional data lodged with land registries; easier cross-border transactions; and moneys from property sales available as cleared funds for immediate re-use.

It is estimated that the system will generate national gross savings of up to \$250 million per annum, and reduce the cost of preparing and settling each transaction by around \$230 once fully implemented. The system will become operational when all states and territories have passed the legislation. I am advised that New South Wales passed it earlier this year, it was also passed in

Victoria earlier this year, and Queensland's legislation has been passed. In Western Australia, the introduction was delayed due to a state election there and has not been passed yet. It was recently introduced in Tasmania, and the Northern Territory has passed it. I appreciate Mr Brad Green from the minister's office in providing me with an update on that around a month ago.

The federal government's National Electronic Conveyancing System website confirms that, when the system is fully operational, the system will be self-funding from the subscriber fees charged; however, in its early stages, the initiative will need a capital injection of funds. I note that a draft funding model is being developed with various proposals for the initial capital investment. The model will be based on the assumptions regarding market size, take-up rates of jurisdictions and industry users, transaction volumes and service delivery costs.

I am interested to see if there is any clarification from the minister's point of view about what level of contribution is required. I can confirm that Mr Greg Troughton from the Real Estate Institute of South Australia has conveyed to me that he and his associates are in full agreement with the bill. Interestingly, I had emailed the Australian Institute of Conveyancers (South Australian Division) looking for a comment from them, and they have not replied, which I am rather intrigued by.

The Hon. J.R. Rau interjecting:

Mr GRIFFITHS: Well, the minister notes that they must be happy with it, so I can also get on that. One group I do know that has some concerns, though, is the Law Society.

The Hon. J.R. Rau interjecting:

Mr GRIFFITHS: Yes. They did forward through a submission which was received by members of 30 August. I have emailed Mr John White, President, just to see clarification on whether there are any areas they wish to be pursued, but there was a letter received, dated 20 August, addressed to the Hon. John Rau and received by members on 30 August which had some 14 points in which it really did express some concerns about this.

I had given consideration to reading into the *Hansard*, but the minister seems to acknowledge that he has received the letter and has been dealing with trying to resolve this. I will be interested to see from Mr White if there are any particular issues that they consider require some amendments. It has not been posed to me, but there may be a possibility in the time between the chambers before it is discussed in the Legislative Council that some proposals are put to us. If they come to me, I will contact the minister and his staff immediately to allow them to understand what is proposed on that.

I just wish to confirm that the opposition does not oppose the bill. From everything that I have read about it, I believe that it is actually a forward step. I know that the Law Society, for example, would like some qualification on how the \$250 million might have been calculated and if an actuarial report actually exists on that, but it seems to me that the technology exists and we have to move with the times; this is an example of it, and I look forward to the swift passage of the bill.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (18:08): I would like to thank the honourable member for his contribution. First of all, on the question of costs, I will seek to obtain an answer to that question and get it to the honourable member between this place and the other place. I say on the record that it has always been easy to provide information to the honourable member and to brief him on matters. For my part, my staff and the departmental officers will extend their full cooperation on any question that the honourable member may have.

As to the Law Society, it has gone through a phase recently where they like to be a little bit like a theatre critic or somebody who reviews movies for a living, and they find little peccadilloes here and there. They are entitled to do that. Sometimes what they bring up is really very significant and sometimes it is a matter of policy, and that is not necessarily their exclusive province, and sometimes it is a very fine point of drafting which may or may not have any substance.

I do not believe there is anything in the Law Society's letter that we found compelling, but I make the point that between the houses if the honourable member wishes to discuss any particular aspect raised by the Law Society or indeed anybody else, my staff and I—to the extent that I can be of help—will be of help.

I do make a couple of quick points though. First of all, I believe Mr White either has retired or is about to retire, so you will be dealing with Mr Bailes. Mr Bailes may or may not have exactly the same view as Mr White, but that is a matter that can be taken up with the Law Society. I make the point that this is a national scheme and, whilst I have never stood in this place and said, 'Hip, hip, hooray; it's a national scheme and therefore we must do it—'

Ms Chapman: You signed up for plenty.

The Hon. J.R. RAU: Sometimes when people higher up the pyramid at some point in time have made a commitment, one has to honour it. Anyway, that is another matter. The only point I make—I have not been signing up to a lot, I hope you noticed.

Members interjecting:

The Hon. J.R. RAU: In fact, on that particular point I can say that to the extent that it has been of any significance I have made it clear that we do not want to be signing up for a whole bunch of things and we are happy to have cooperative arrangements with other states of the commonwealth but we are not interested particularly in being subsumed by commonwealth—

Ms Chapman interjecting:

The Hon. J.R. RAU: No; I am not picking on him either. He was in the situation where he, like me, was working in a particular environment where he had to do what he had to do. I just want to say that because it is a national scheme it may be that the critique that is being offered by the Law Society is offered in ignorance of the fact that this scheme is a national scheme, and for us to tinker with our bit may render it relatively useless, depending on what tinkering occurs. That is a consideration.

I do think it is significant that the REI and in particular Mr Trout have expressed support for this because, let's face it, they are working with it all the time. It is also significant I think that the conveyancers were so underwhelmed by the threat of this thing that they did not even have to respond to the honourable member's request for comment. I think that should give the honourable member the capacity to sleep comfortably at night, not worrying about this particular matter. I thank him for his remarks, and I gather the bill will now move speedily through.

Bill read a second time.

In committee.

Clauses 1 to 8 passed.

Clause 9.

The Hon. J.R. RAU: This is apparently very good. I am reliably informed that this is excellent stuff. I move:

Amendment No 1 [DepPrem-1]—

Page 7, after line 10—Insert:

- (2) Without limiting the generality of subsection (1), the regulations may make provision in relation to the operating requirements and the participation rules, including—
 - (a) provisions of a savings or transitional nature; and
 - (b) definitions, interpretive and other provisions to apply in South Australia.

It provides that without limiting the generality of subsection (1), the regulations may make provision in relation to the operating requirements and participation rules under the Electronic Conveyancing National Law (South Australia) including provisions such as a savings or transitional nature consequent on the registrar determining any such requirements and rules and definitions interpretive and other provisions to so apply in South Australia in relation to such requirements and rules. I understand that to mean we get regulations to deal with transitional bumps.

Mr GRIFFITHS: Can I just confirm then, without the benefit of detailed review, that the minister's explanation sounds quite reasonable at this stage, and we will accept it, subject to consideration between the chambers.

The Hon. J.R. RAU: I am entirely happy with that.

Amendment carried; clause as amended passed.

Schedule and title passed.

Bill reported with amendment.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (18:16): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (ASSESSMENT OF RELEVANT HISTORY) BILL

Adjourned debate on second reading.

(Continued from 26 September 2013.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (18:17): I rise to speak on the Statutes Amendment (Assessment of Relevant History) Bill. This was a bill introduced by the Attorney-General to amend the Children's Protection Act 1993, the Disability Services Act 1993 and the Spent Convictions Act 2009. Essentially, the basis for introducing this bill is presented as seeking to strengthen the legislative framework for screening individuals who work or volunteer with children, and to put similar measures in place for those who work or volunteer with vulnerable adults, through amendments to those acts, and also for those who work in the public sector more generally.

The Attorney-General wrote to each of the members of parliament last week advising that, as part of the government's ongoing commitment to safe communities for all South Australians, they were taking steps to ensure the legislative framework was effective, and essentially outlining and confirming their commitment to ensuring that, as best as possible, all reasonable steps are taken to ensure that whatever screening processes we have are at their most effective to promote the safety and wellbeing of children and vulnerable persons.

I think it is fair to say that the development of legislation in this area to provide for screening at all has taken place over some years. It has been the subject of significant recommendations from a number of inquiries under this government. That has included Robyn Layton QC's report in respect of children, the Maurine Pyke QC report in respect of domestic violence which had a number of recommendations, and most notably for members of the parliament the Royal Commission into Institutional Responses to Child Sexual Abuse by the late Justice Mullighan who had the commission to investigate that tawdry history.

I think the Minister for Education and Child Development was then the minister in the department for families and communities, now known as Department for Communities and Social Inclusion. If I recollect correctly, she had the carriage of the most significant legislation under the Children's Protection Act to strengthen the screening processes. Essentially we went from not just a relatively select smaller group having to disclose a history of criminal conduct or offences for which there had been convictions but to a much broader group outside of the paid workforce, in particular to extend to volunteers and those who provide a service, whether they were paid or unpaid, for activities with children and young people.

Essentially it seems to me that the government is looking at the effectiveness of what screening process we have and also how that should be broadened to an even broader group and for the level of activity or offending conduct that would trigger their exclusion from having access to children in those activities.

As we understand it from the letter to us as members of parliament, the government has established this cross reference working group which arose out of the state government signing an intergovernmental agreement for the National Exchange of Criminal History Information for People Working with Children which sought to facilitate the exchange of information with other jurisdictions, specifically the purpose of screening those who work and volunteer with children. From that, this working group has been established. Apparently the working group is to make recommendations to the cabinet, firstly in relation to the screening of those who work or volunteer with children and vulnerable adults by December 2013, and secondly in relation to the screening of public sector employees generally by July 2014.

I do not have any explanation and I have not viewed in the second reading contribution anything that tells me why there should be a differentiation. I can only assume the government take the view that as they already cover a number of paid and volunteer persons within certain employment who have access to children that the extension from children to vulnerable adults is in

itself already tested and that as a result of examples of where vulnerable adults, particularly those with a disability or frailty, have been exposed means that we really need to do something about that.

Other members of parliament, indeed other political parties, have also raised this issue, particularly those who are in vulnerable circumstances, whether it is in an aged care facility or whether that person has a disability that makes them vulnerable. They are vulnerable in the residential facilities they might live in, they are vulnerable in homes even with their family members or carers, they can be vulnerable in transit whether they are on a bus or in a taxi. To be perfectly frank, there have been some shocking cases which members would be familiar with where children and vulnerable adults, particularly in the disability area, have not just been taken advantage of but had the most obscene conduct perpetrated on them.

So clearly something needs to be done. The indication that it be by December 2013 really says to me that this is not new and that the only basis upon having a response by December 2013 is that the government needs to show pretty quickly that it actually is going to do something about this and that it is attending to it before it has to account to the people of South Australia as to why it has not done anything effective in this area before the next election.

It is disappointing to me. On the face of it, the purpose of advancing this legislation and going through this rather unusual process where the bill is tabled and introduced and having a review process (which all has to quickly come together before December for the cabinet to consider things) makes me very suspicious about the bona fides of the government on this bill and its intention regarding the protection of children.

I have said before and I will confirm in this debate that I do not in any way consider that members of the government, or indeed members of its departments, can be responsible for much of the unsavoury and unlawful conduct between persons and children and vulnerable adults. It is not the fault of ministers, it is not the fault of government departments but, sadly people (children and vulnerable adults) are victims of the sometimes obscene conduct of others. Sadly, there are people in the community who sometimes—even within the family group—perpetrate these obscenities on children and vulnerable people.

I do not suggest that any government should be responsible for that or that they should in any way make promises to eradicate it. What they are responsible for and need to be held to account is when they know about such conduct or know about the risk to a child or vulnerable person and they do not do anything about it.

Indeed, in the last year we have had almost daily exposure to circumstances in which children have been ill treated, sometimes on the premises of government-run entities, and there have been a variety of failures on the part of the government not only to properly protect a child from further inappropriate conduct but leaving other children at risk. We have had circumstances where that has occurred on school grounds. We have had circumstances where that has occurred in private facilities, and we have even had circumstances where children on school grounds are accused of committing offences such as accessing pornography falsely, paid money as some kind of compensation and expected to execute contracts with a confidentiality clause to keep things covered up and hush-hush.

We have had this extraordinary exposure just in this last year, which all too often comes on top of cases where children are left at risk in circumstances known to the authorities responsible for them in Housing Trust accommodation, for example, in school environments, sometimes in institutional care and sometimes on buses.

There is a litany of cases that we read about in reports, whether they are annual reports or whether they are from guardians or protectors of children in various forms that have been established by this government. We read about these sad cases all too often. I can recall having discussions with former ministers and contributing to debates in this house to say that we would introduce a screening process, as one of the tools to combat this type of behaviour, to try to help others exposed to the risk of that and to try to balance with that the importance of protecting people from unfairly being excluded from employment and/or the opportunity to volunteer.

I made the comment before, and I will again in this debate, that screening only for records of convictions for conduct that is illegal does not represent, obviously, the level of persons who actually commit offences. A record of conviction will only identify if that person has acted illegally and been caught, and one does not have to be overly bright to understand the fact that there are plenty of people out there who commit crimes, not just towards children and vulnerable adults, of

course, but get away with it and continue to get away with it, and in this area, sadly, young victims are the legacy.

We have supported a screening process. We have even supported the expansion of that to volunteers because on this side of politics we have understood the significance of access to children and the examples that have been exposed, whether they are volunteers in care organisations for children, foster carers, or people who are in positions of trust in organisations that include children, such as a sporting club or a community activity.

There are many organisations in my local area, such as scout clubs and the like, that do magnificent things for children and give them a lot of opportunity and skills but, unfortunately, some people are attracted to these organisations because of their desire to get access to children. They then undertake their predatory approach to those children and we read about them in court reports, coronial inquiries and the like. We have to try and do the best we can to protect children.

This proposal though, which is supposed to have a corresponding review in tandem, is one which certainly goes considerably further. I will say that, in considering this rather significant extension, I have viewed again the proposals submitted by the Law Society of South Australia and I am going to refer to them, but I will say that whatever comes out as a result of this review of the screening process and the use of that process to exclude potentially bad people from innocents is just such a tiny piece of the puzzle.

As to how we might best manage these children, I would urge the government, because this is not an area that should be ignored, to place a bit more attention onto ensuring two things. One is that, when any agency or department is alerted, quite often through the mandatory reporting process, which is another mechanism by which we attempt to try and keep children at risk from becoming victims, they allocate the resources of competent people to ensure that these children are protected.

Secondly, they start to understand that, as ministers, they have a number of responsibilities—whether as police minister or the minister responsible for the education and protection of children. I think they are the two principal ones. There are other ministers whose departments have day-to-day interaction with children, obviously in higher education and training, in areas such as health, for example. These are particular areas and portfolios of ministerial responsibility for children and vulnerable adults.

We can have all the screening processes, all the detection processes and all the reporting processes in the world but they are not going to help much unless we can ensure that the resources of properly trained people are there to follow them through, otherwise it all goes to naught. This becomes another extension of the cheap option in the detection and prosecution of matters without actually achieving the protection that we are trying to achieve.

In light of that background, I refer to the concerns raised by the Law Society. The Attorney points out that the submissions received are from John White, as President, and he is soon to conclude his period of office as President of the Law Society. I place on the record my appreciation for his advice to members of the parliament, of all political persuasions, to assist us in our deliberations.

In particular, he wrote to the Attorney-General in response to a copy of this bill being emailed to him, I think probably only on the day that it was filed in the parliament, which is even more extraordinary; but, nevertheless, it was sent for their consideration. Their committees had a look at the matter and, last week, forwarded to the Attorney-General (with copies to, presumably, relevant parties in the debate on this matter) their concerns.

They really do target the question of the obligation of a responsible authority to assess a person who is being considered for a prescribed position in an organisation and to assess relevant history instead of criminal history. We are looking at the width of the definition of 'relevant history', the use of the information and the procedural fairness of what is to apply. Suffice to say that they acknowledge the importance of protecting children, which I think every member of this house would agree with.

What they do say, though, is that it is necessary that people are not inappropriately denied the right to work in particular environments, and it should not be overlooked here that we are not just excluding those who might want to volunteer to provide some comfort, service or support to a child or vulnerable adult and genuinely have that intention. It is a shocking waste, of course, if we throw out some well-intentioned and good people from contributing to that much-needed service,

even in a voluntary capacity; but I think it is heightened if we specifically set the thresholds too high and the definitions too wide if it specifically denies someone a right to employment in a particular environment.

They are my comments and I hope, in the translation of this, that they will be noted as such. The Law Society had a look at the definition of 'relevant history'. That provision under the bill in subsection (a) says:

- (iv) information relating to charges for offences alleged to have been committed by the person in South Australia or elsewhere (whether those charges relate to offences alleged to have been committed before or after the commencement of this section and regardless of the outcome of those charges);
- (v) information lawfully obtained or held for any purpose by a person or body prescribed by regulation (being information that is relevant to whether a person is a suitable person to perform prescribed functions);

The Law Society points out:

These provisions do not require any consideration of the integrity of the information or require that charges be proven. Subsection (iv) would include information in respect of unproven charges. The individual may strongly dispute the information, and the charges. In our view, and unfortunately sexual charges/allegations are notorious for their unreliability.

That may be the case in some cases, of course, and the Law Society is alluding to that risk. The Law Society also notes that the information that can be relied upon is not limited in its full. It could be in depositions or statements, it could be information gathered in an investigation, and it could include hearsay or other unreliable information.

They take the view that it would be inappropriate for untested or unproven information to be used against an individual. It is not simply adequate to say that it has been lawfully obtained—that is, there has not been any a breach of the law for the party who has received or recorded that information—it has to have some level of integrity in its reliability for it to be relied on. The Law Society makes this assumption:

We understand that prospective employers cannot conduct hearings about the integrity of information, however we express concern that unreliable, untested and strongly disputed information may be used against an individual and stain him/her for life—effectively making him/her unemployable.

So we do need to take that into account. If we are going to broaden it from other than criminal convictions, we have to have some capacity, it seems, to be able to ensure that what information is taken into account has some level of integrity and reliability. The next issue is the use of the information. On the definition of 'relevant history' it provides to include:

- (ii) information relating to offences alleged to have been committed (whether before or after the commencement of this section) by the person in South Australia or elsewhere and with which the person has been charged but which has not yet been finally determined;

Again, this is a question of reliability and integrity of information. They go on to say:

...importantly, we question how the information is to be used if the offences are determined not to be proven? What use is to be made of information then? It would appear that that information falls under subsection (iv) and may therefore continue to be used against the individual.

Further, they say:

We recognise not everyone who is acquitted, or has had charges withdrawn, is innocent. However, the problem is that not all information gathered in the process of an investigation or by any other means is accurate or reliable.

They go on to say:

Of course we want our children protected. At the same time, an innocent individual should not suffer a life industrial ban because someone lied about him or her.

The Law Society's remedy to at least be considered in this process is that, if legislation is introduced, the bill should include a review or an appeal process in addition to the important provisions for procedural fairness. How that is to be done is obviously a matter that can be considered as to whether we use our current administrative legal processes. The parties who are fighting for the protection of children and extension to vulnerable adults, I commend them for that. The importance of that needs to be seriously considered by the Attorney.

It seems to me that it is also important that people who might be expert in employment law—unions, for example—are also parties who need to give some consideration to whether there

is going to be an introduction of a regime that is going to unfairly exclude people from the opportunity to contribute in a voluntary capacity and/or employment. The employment side of it I think obviously has potentially very significant financial effects on a person. To exclude them even from the opportunity of employment, especially if it was known that there had been a refusal to allow someone employment, would adversely affect them.

It is fair to say that it is extremely difficult for people who are unfairly accused of any offence against a child or someone who is in a vulnerable circumstance to even hold their life together. I have had cases myself in legal practice where people have been a victim of false allegations; it destroys their personal relationship, and it can very often exclude them from the opportunity to continue their employment.

I have represented teachers, nurses and others who have been in those circumstances, where their life has been utterly shattered and ruined as a result of an allegation, especially if it relates, for example, to a child or a disabled person who is a family member or who is known to them. The mental trauma can even prevent them from being able to participate in worthwhile relationships or friendships or from the opportunity for future employment or from joining social clubs.

These people are destroyed. Whilst some of them were given ex gratia payments in the time I represented them—and we were grateful for that at least, I suppose—no money can restore the stain of being accused of an offence where there is a suggestion of impropriety or illegal conduct, particularly to a child.

I have not represented people who have been in circumstances of allegations of abuse of a disabled person, but certainly members of parliament (and I am sure other members have experienced this too) have had complaints come to them, either by a relative or friends, where there has been at least an allegation that an aged person has been the victim of some improper behaviour, neglect or exposure to risk which has caused them to complain. These are harrowing stories, and we need to balance what we are doing about protecting the vulnerable in the future.

It is always a hard task to get it right. I think that the Law Society has raised some important aspects. Probably, if I were to throw in any comment at this point, I would say that the way in which the bill is drafted at present is too broad and that there needs to be some protection. In my view, two things certainly need to occur; one is the capacity to easily access and apply for the exclusion from the public record information which is demonstrated to be unreliable.

There is already under the Freedom of Information Act (and probably under other legislation) a provision which allows people to have some information removed from the public record, and there is a process to do that. I have not actually exercised that or applied on anyone's behalf to do that under that legislation, but I do not imagine that it is an easy task; there would have to be significant evidence to suggest that the information that has been recorded is either scurrilous or certainly inaccurate and so on. There would have to be some reasonable threshold to have it removed because we do not want people tampering with the public record either. That seems to me to be one thing that needs to be looked at in this review.

The second thing is that we have some accessible and affordable process of review because there is nothing surer than that people will be excluded and there will be circumstances where that is unfair, and there needs to be some remedy, for the review of it in an appeal process which is accessible and affordable.

The Hon. J.R. Rau: SACAT.

Ms CHAPMAN: The Attorney prompts me to consider the new South Australian civil and administrative tribunal, which is to be established and I think, at least at this stage, is to receive the responsibility of dealing with guardianship matters and matters that currently lie with the Residential Tenancies Tribunal. There may be applications the Attorney will consider for other areas he will transfer.

Again, it seems to me that it is reasonable that those who are skilled in employment law, and the consideration that needs to be looked at for the protection of people's right to have reasonable access to employment and be able to maintain their employment, are not unfairly denied. There will be other people much more expert than me who can be consulted, and we urge the government not to fall into the trap—if it is in any way motivated to bring this review to a conclusion by December because of the 15 March 2014 election—and be persuaded to ensure that they do it properly rather than trample on the rights of good and reasonable people.

Debate adjourned on motion of Mrs Geraghty.

**FIRST HOME AND HOUSING CONSTRUCTION GRANTS (ELIGIBILITY CRITERIA)
AMENDMENT BILL**

Received from the Legislative Council and read a first time.

WORKCOVER CORPORATION (GOVERNANCE) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

VETERINARY PRACTICE (MISCELLANEOUS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

NATIONAL GAS (SOUTH AUSTRALIA) (GAS TRADING EXCHANGES) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

At 18:53 the house adjourned until Wednesday 30 October 2013 at 11:00.