

## HOUSE OF ASSEMBLY

### Thursday 14 November 2013

The **SPEAKER (Hon. M.J. Atkinson)** took the chair at 10:30 and read prayers.

#### SITTINGS AND BUSINESS

**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) (10:31):** I move:

That standing and sessional orders be so far suspended as to provide that Government Business Notice of Motion No. 1 set down for today have precedence over Private Members Business Bills and Private Members Business Other Motions and that the time for the debate be 90 minutes with the following times for each member being 15 minutes for the mover, 15 minutes for the Leader of the Opposition, 10 minutes for all other members and five minutes for the mover in reply, and that Private Members Business Bills set down for today be taken into consideration at 12 noon for one hour.

Motion carried.

#### GM HOLDEN

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (10:32):** I move:

That this house—

1. Recognises the importance of Holden to the economy of South Australia, to the car component supply industry, and to the up to 13,000 South Australian workers and their families, who depend on Holden continuing to operate for their livelihood.
2. Recognises the important role that Holden plays in the development of a skilled workforce suitable for a more advanced manufacturing industry.
3. Notes that—
  - (a) South Australia has already committed an investment of \$50 million to Holden in the event it invests in two new models from 2016 and continues to operate to at least 2022;
  - (b) Holden will not continue to operate beyond 2016 unless a substantial package of co-investment is negotiated with the commonwealth government;
  - (c) the commonwealth government's announced \$500 million cut to the Automotive Transformation Scheme has created greater investment uncertainty for Holden and its workers, although the reversal of the previously foreshadowed FBT changes is welcome; and
  - (d) delays to the resolution of any co-investment package are creating great uncertainty for Holden workers, are delaying investments of businesses associated with Holden and so retarding economic activity, and are themselves putting in jeopardy the possibility of Holden continuing to operate.
4. Calls on the commonwealth government to conclude as a matter of urgency, a package of co-investment with Holden, which ensures Holden invests in two new models and continues to operate beyond 2016.

The government is moving this motion in the parliament today because this is the most important economic issue facing South Australia and it is incumbent on all members—every single member of this house—to stand up and be counted on behalf of South Australia, not just in this parliament, to express the will of this parliament, but also in any forum where they can have influence—any forum. That includes your own political party, your own colleagues and anybody you can influence. You owe it to this state to stand up and add your voice to this important campaign to secure the future of Holden's in South Australia. We believe that the issue of the car industry must be resolved by a decision of the commonwealth government to co-invest in the car industry without further delay.

South Australia has a diverse economy. We make some of the world's best food, wine and beer. We have a resources sector which is unlocking the natural potential of our state, particularly and most recently the exciting prospects in our gas industry. We have some of the smartest scientists and engineers working on world-leading biomedical research and devices. We have some of the finest defence materiel in the world so that we properly equip the men and women of the Australian Defence Force to serve our nation with distinction. As a consequence of that diverse

economy, we have a car-making industry based around manufacturing operations of Holden and Toyota and, in the short term, Ford.

One of the most important facts about the car industry for our diverse economy, is how that industry creates capability for the rest of our economy. The automotive industry plays a significant role in bringing world's best practice in business processes, in lean manufacturing and in upskilling workers. Interestingly, when I was at Spring Gully just last week, I was struck by the fact that the consultant who was working there to assist them to make the transition from the difficulties that they were finding to a sustainable future for themselves was in fact an expert in the car manufacturing industry, and indeed the person who was appointed to be the operations manager at Spring Gully is somebody who had a background in car manufacturing.

Touring the ASC—the submarine corporation—and looking at the work that is going on at the warfare destroyer contract, I met many skilled workers who got their start in Holden's or Mitsubishi. When I visited a medical device factory just a few weeks ago, I met a manager who had his start in the car industry—an industrial chemist who came from Bridgestone, a car manufacturing component maker. These skills and capabilities, which are available for the South Australian economy, come directly from our capabilities in the car industry.

When I was at Carr Components at Netley recently, the foundry and tooling operations that are associated with many of our car component manufacturers are not just important for that sector: they are important for the other manufacturing sectors that exist in South Australia. If we lose the capacity to make tools for the purposes of the vehicle manufacturing industry, we lose the capacity to make tools for other sectors. When the critical mass of those component sectors falls below a certain level, the inventories that are necessary to actually create those manufacturing products—the certain types of steel that are kept in supply here in Australia—run down to the point that they cannot be accessed.

This is the difference between winning and not winning a contract. To put in a bid and say you cannot access a particular type of steel, because it is only sourced from overseas and that is an eight-week trip, is the difference between you winning that contract and participating in the manufacturing supply chain or not. So there is a critical mass issue about the way in which a manufacturing sector can shrink to the point where it has massive knock-on effects and capabilities across the whole of our sector.

We have innovative businesses that have significant operations outside of car manufacturing that still have the car industry as important lead customers. That is the other thing that needs to be remembered here. We have companies like Precision Components. A substantial proportion of their work comes from the car industry, but a very important section of the work is in the non-car manufacturing sector. But it is the car component sector of their work that allows them the capacity to continue to operate. If you take one away, the other falls. It is not of sufficient scale to allow that industry to continue in its present form.

In South Australia the automotive industry has 33 direct suppliers and 700 indirect suppliers and has an impact on thousands of businesses, workers and families in the state. One such business is SAGE Automation, based in the southern suburbs. SAGE Automation CEO, Andrew Downs, has said, as part of the More than Cars campaign, that globally automotive is seen as probably the pinnacle of all industry, mostly around its productivity, its use of the latest technology and certainly the adaptation of world's best practice. What I find here is that it is not just the work we do in the automotive sector: it is the discipline we get from it.

Many car component makers have used their capabilities to corner a niche in the automotive market, but they are able to translate that success into other markets. SMR at Lonsdale developed a coding technology, in conjunction with the University of South Australia, which allows them to create lightweight, automotive mirrors. As a result, they have been able to win around a fifth of the global market for automotive mirrors—a fifth of the market from South Australia; 75 per cent of their output goes to the United States, Asia and Europe. SMR has also been diversifying their businesses outside of automotive, especially in the growing and emerging sectors such as medical devices and clean technologies. The company recently established a new division—SMR Technologies—which is seeking to develop products in markets requiring precision, highly engineered moulded and electronic component combinations.

Of course, the importance of the car industry goes beyond these shared capabilities. The jobs that are created by the car industry include those jobs in retail, in hospitality, in construction and services. We know, courtesy of a study undertaken by Barry Burgan and Associate Professor

John Sphoer of the University of Adelaide, they quantified the importance of the car industry to our economy. They found that the loss of the industry would be a loss of up to 13,200 jobs. They found that the loss of the car industry would mean \$1.24 billion of our gross state product would be lost. When statistics reach this scale they can start to lose some meaning, so we need to remember what it means at the level of the families that are affected by these decisions.

The devastation wrought by a decision not to support carmakers, resulting in the closure of this industry, would be felt by most South Australians. This is a sector that has touched the lives of many South Australians. My own family has had a long history in the car industry. My mother started out at Carr Fasteners, down there on Tapleys Hill Road at Hendon, and she worked there for many years. My uncle spent his entire working life at Holden's, starting at Port Adelaide as an apprentice, finishing at Elizabeth—his whole life as a young man as an apprentice through to the day he retired in his late 50s.

Most South Australians know someone who has worked in this car industry or somebody who relies upon it for their livelihood. The sad reality is that the unemployment that would be associated with the loss of these jobs devastates not only individuals but families and not only families but communities. Particularly for those workers who are semiskilled or low skilled or older workers, the loss of secure employment can set them permanently on a path of insecure work.

We were fortunate when Mitsubishi closed; it closed at the height of the economic activity that was occurring in this state. But make no mistake: there are a number of those workers that are still struggling. There is not a rosy picture for those workers that are having to face insecure employment or many of them that were not able to obtain employment or go into premature retirement. Once proud men and women are forced to rely upon not only their brains and their muscle but the generosity of others to survive. And that is an undignified existence for them.

Fewer jobs in community hit local sporting clubs, schools and community groups. Nowhere would be hit harder by the closure of Holden's and the shutting down of the car industry than the community of Elizabeth. David Cavenett, the President of the Central Districts Football Club, has featured in the government's More Than Cars campaign. And he brought the message home very clearly when he said, 'We can't afford to lose the car industry.' It is clear that losing the car industry would devastate the South Australian economy, workers and the community, but we do not have to have it that way.

We know what the car industry needs. General Motors Holden, as well as us, are in negotiations with the commonwealth government at the moment. They have put a proposition to the commonwealth government. It is the same proposition that General Motors Holden has put to the previous federal Labor government. The previous federal Labor government, following the receipt of that proposition, went on to announce a package during the election campaign which would have delivered an extra \$500 million over five years at the end of the existing automotive transformation scheme, with ongoing funding over the years after the scheme concludes.

Of course, it was never the previous commonwealth government policy to rip \$500 million out of the current stage of the ATS scheme, which the current government has recommitted to doing. From what Holden has put to us, the package of the previous federal government together with our own contribution would have secured the future of the car industry in this nation. At our insistence, we have also ensured that there will be arrangements to ensure substantial accountability for Holden's and the industry to ensure that we do have a car industry which is transforming and can have a secure future.

But instead of making a decisive move to secure our car industry upon coming into office, the new federal government has dithered. We have given them some time. It was appropriate that they have their briefings, that they have time, but the time for waiting is over; the time for decision is upon us. They have sent a proposition to the Productivity Commission, a decision that can and should be made by the government itself. This is causing a six to nine month delay until the industry has any certainty at all about its future. The delay makes it incredibly difficult for businesses across the state and, of course, Holden itself to make the necessary investment decisions about the future.

What company, even one the size of General Motors, can make an investment decision when the boundaries might be able to change by hundreds of millions of dollars? What car component maker can tool up to get ready for the production of new platforms if they do not even know if they are going to have a customer? How can a deli owner who relies upon the car industry

workers for their livelihood and wellbeing make decisions about investing in their business? Unfortunately, the delay itself may even result in the loss of Holden's altogether.

That is why we need nothing short of a definite commitment on funding for the car industry from the federal government and we need it now. To secure this commitment, we have to show that Canberra knows that this car industry is not limited to a few carmakers in Toyota in Altona, and in Elizabeth for Holden's. We have to show the federal government there is a broad base of support across the whole of this country. That is why we have mounted a More Than Cars campaign. We have started working with local communities. Anglicare has been on side, the City of Salisbury has been on side and the campaign is growing in strength. Over 3,000 people have joined the campaign to this point.

We know that the campaign has to go to the whole of the country. That is why I am travelling to Melbourne tonight to meet with car component makers and launch this campaign in Victoria. We know from the ACIL Allen report that there are about 33,000 jobs at stake in Victoria. Victorians stand to lose as much as, if not more than, us here. So over the coming weeks we will be taking this campaign across the nation to show the breadth of support in every city and town.

Today we need to show Canberra that the Parliament of South Australia is united behind the car industry and that we will not accept further delay. There are two paths: an automotive sector, which is a foundation for a diversified high-value manufacturing future for our state, or a car industry that withers and dies and we have to deal with the process of adjustment here in South Australia. We cannot afford to stand still in this state. Our state has an exciting opportunity ahead of us, but we cannot afford to allow this sector to die. If it does, it takes with it the hopes and dreams of many South Australians. I ask this parliament to support this motion.

**Mr MARSHALL (Norwood—Leader of the Opposition) (10:47):** I rise to speak on the Premier's motion and I indicate on behalf of the Liberal opposition that we will be supporting this motion. I am very proud to say that the debate occurring in the chamber today is, of course, done under the watchful eye of Sir Thomas Playford's portrait by Ivor Hele, sitting behind the current Premier of South Australia. I wonder what Sir Thomas Playford would think about the current performance of the South Australian economy?

Sir Thomas Playford did everything he could to advance the cause of manufacturing here in South Australia. What would he say if he was confronted with the ABS statistics revealed to the people of South Australia last week, where 10,000 jobs were lost in South Australia in a single month? There were 10,000 full-time jobs lost in a single month, bringing to 28,000—think about that over there; think about that over there on the side of the government—the total of full-time jobs lost in this state in the last five months through the hopeless economic settings put in place by this Premier and this Treasurer.

Now he has brought this highly political motion to the people of South Australia and to the house and we will debate it. We want to support it. Why is that? Because we strongly agree that Holden is vitally important to the South Australian economy. Holden is important to the manufacturing economy here in South Australia. The entire manufacturing sector is important to the South Australian economy. We certainly do not want to be lectured to on this matter by Premier Weatherill, who has no credibility whatsoever. He tells us—

**The SPEAKER:** The leader will not refer to the Premier by his surname. He will refer to him as the Premier or the member for Cheltenham.

**Mr MARSHALL:** We were talking about several premiers in my speech today, so I just wanted to clarify that—that I was not referring, of course, to a great South Australian premier, premier Playford: I was referring to the current Premier. The Premier used the vast majority of his time in the debate telling us what we already knew.

*The Hon. P.F. Conlon interjecting:*

**The SPEAKER:** The member for Elder is called to order.

**Mr MARSHALL:** He used taxpayers' dollars to tell us what we already knew. In fact, he said, 'We got Professor Barry Burgan to do a report on the importance of the manufacturing sector.' To what end? To tell us what we already knew: Holden is important to the South Australian economy; manufacturing is important to the South Australian economy. So, we spend money from this state government to tell us what we already knew.

We all support the car sector here in South Australia. We do not need a website, we do not need a petition, we do not need motions in the parliament, we do not need Barry Burgan's report. We know that this is an important sector for the economy, and nobody knows that more than I do. I served on the state government's Manufacturing Industry Advisory Board for five years under both the Labor government and the Liberal government. It is an important sector and it is where I come from. My father worked at Holden. He did his apprenticeship at Holden, becoming a fitter and turner there.

We understand the importance of the technology transfer from Holden to the wider manufacturing sector. We understand the importance of skill transfer from Holden to the wider manufacturing sector to the wider business community here in South Australia. We know that it is important. But the government has no credibility—zero credibility—when it comes to the matter of negotiating to keep Holden here in South Australia.

Let me just go through the sorry tale that we have had in South Australia over the last 20 months on this issue. None of us will forget when our intrepid Premier jumped on a plane and flew over to Detroit only to call a press conference and say, 'Guess what? We're in lots of trouble here. Holden is about to depart.' He came back and said, 'But don't worry, I will save this industry. It's safe with me. We're going to enter into negotiations to save this company once and for all and to get two new models through to 2022.' That is what he promised the people of South Australia.

I was the shadow minister for manufacturing at the time, so I said, 'Why don't we do this in a bipartisan way?' That was my first response. I said that the logical way to do this was through the IDC, the Industry Development Committee, which everybody in this place will know is a subcommittee of the Economic and Finance Committee. Guess what happened? Almost immediately, the minister at the time—am I allowed to say his name?

**The SPEAKER:** No.

**Mr MARSHALL:** The current member for West Torrens, the former minister for manufacturing, innovation and trade, went straight to the media; when he was asked this question by Michael Smyth on the ABC, when Michael Smyth said to the minister—

*Members interjecting:*

**The SPEAKER:** The Premier was heard in silence, and now the opposition benches are erupting during their own leader's speech. Accordingly, I call to order those who are most disrupting this proceeding, those on the front bench: the members for Waite, Unley and West Torrens. The Leader.

**Mr MARSHALL:** When the former minister went on radio later that day, Michael Smyth asked him the question, 'Why don't you deal with this issue in a bipartisan way? Why don't you establish the IDC?' Let me read to the house precisely what the minister said on 18 January:

Look Michael, I'm surprised that Steven talked about the IDC today because I announced today in my press conference and he's fully aware of it, that I thought it was a very good idea to send this proposal through the IDC after it was announced and have a consultative approach with the Liberal Party. But he comes on your radio program today saying I should send it there after knowing I've already announced it a few hours earlier. It's the type of politics we're dealing with here because it's not really about finding a solution, it's about creating conflict. It's about trying to create an issue, trying to create a problem.

That is what the minister said, so of course I was delighted. Logically, one would assume from that transcript, and from hearing that on the radio, that the minister had agreed that Holden was important to South Australia so let's deal with it in a positive bipartisan way. You could imagine how incredulous I was when I found out he was not going to go be true to his word; he was not going to establish the IDC! It was never going to happen!

So, what did I do? I thought to myself, 'How can we actually push this issue?' Maybe he just had a little backflip, but the Labor Party in general was going to back a bipartisan approach to saving Holden. What did I do? We moved, within the Economic and Finance Committee, to establish the IDC.

The IDC has worked very well for this state in the past. We have used this, in a bipartisan way, on important issues of economic development. We used it for the defence sector, especially around Techport, and it was used to great effect. That is why we suggested it—not to try and be political or disruptive, or try to extend the time for making deliberations and decisions regarding Holden, but because we genuinely believe that it is the best way to deal with economic development issues in a bipartisan way.

A lot of the decisions that are made in this area have to be made for the long-term benefit of South Australia, and there are likely to be multiple administrations during the life of some of these decisions, so that is why we sent it there. We went to the Economic and Finance Committee and we moved it there. We said to the government that we would like to hold the minister to his suggestion, that we would like to establish the IDC—

**The Hon. I.F. Evans:** Honour his commitment.

**Mr MARSHALL:** —and honour his commitment to the people of South Australia. Well, we were flabbergasted when the government decided to use their votes on the Economic and Finance Committee to make sure that we would never establish an IDC to look at the Holden issue. So, this government has been exposed for the hypocrites they are. They talk about working in a bipartisan way with the opposition, but at every single opportunity—every single opportunity—they want to wheedle politics into this discussion. It does no good for Holden, it does no good for the workers in Holden or in the supply chain, and does no good for the economy here in South Australia.

Let's have a look at what happened when the Liberal Party was not involved in the determination of that co-investment deal. First of all, let me just refer to what the government finally put out when they had finished their negotiations because, again, I think that this gives us a clear indication of the way that this government operates. In March 2012, Labor's headline was very clear: 'Holden's future secured'. That is what they said: 'Holden's future secured'. That is what they promised the people of South Australia. In January 2011, they put out a press release saying, 'Holden going from strength to strength'. In December 2008: 'Holden's small car plans secures its future in South Australia'. They are always talking about what is going to happen here in South Australia.

Of course, the pinnacle was after the negotiations in March, when they said unequivocally that they had saved all the jobs, there would be no forced redundancy and, most importantly, I think the Premier indicated to the people of South Australia that he really had no idea about manufacturing whatsoever. He said that the great thing about this deal he had done was that it was going to integrate Holden into the global supply chain. He thought that this was a positive.

Let me tell you that every single auto parts manufacturer in South Australia started to tremble. They knew that was not an opportunity for them to export; they knew that that was an opportunity for Holden to import all their componentry and lose all those jobs across the entire supply chain in South Australia. That was the problem, and he did not understand it. The Commodore was designed in Australia, and the vast majority of all of the componentry is South Australian. The Cruze is on the global platform, and guess where all the componentry for the Cruze comes from? From their global supply chain—the same global supply chain that the Premier was advocating was part of a great deal he had negotiated on behalf of South Australia.

Let me tell you about this deal. Not only did we not secure the supply chain for South Australia, but we have lost hundreds and hundreds and hundreds of jobs since the Premier claimed that he had saved all those jobs. What did we find out earlier this year? The deal the Premier had claimed had been done to secure all the jobs at Holden had never ever been signed. He said, 'Don't worry, there was an exchange of letters.' That is why we are back to the starting point. The Premier said in this house on repeated occasions that we had negotiated a \$275 million co-investment package to secure two new platforms for manufacturing right here in South Australia for 2022. Well, that just has not taken place. The Premier did not sign that deal, and we have been in a very unsatisfactory situation ever since.

Can I just say that we do need to move to a more bipartisan approach to the auto industry here in South Australia. That is why in April this year I said that if we were elected we would establish an auto industry task force, but I went further. In April this year, I said to the Premier of South Australia, 'Why don't you establish an auto industry task force and we will join with you and we will work diligently with you to do everything we possibly can to put Holden in the best possible scenario to make sure that it survives into the future?' What was the government's response to that offer? Forget it—he did not want to be part of it. Do you know what he said? He said, 'It's imminent. We either sign up now or it's too late.' Well, here we are in November, many months later, and we are still in negotiations.

Again, I call on the Premier today to start working with the opposition and start working with the federal government to secure the jobs at Holden, to secure manufacturing at Holden, and stop playing politics every day of the week, stop spending state government taxpayer dollars—finite

taxpayer dollars—on his latest little invention, like a website, or a T-shirt, or a photograph on the front steps of parliament, or a motion in the house, or a motion—

*Members interjecting:*

**Mr MARSHALL:** Sir, there is a lot of tension on that side of the house. There is a lot of tension. Take a big, deep breath. What we need in South Australia is an approach that is going to put our manufacturing sector on a long-term trajectory towards success, not press releases. I ask the Premier: whatever happened to that august body he pulled together? Do you remember it—the manufacturing ministerial task force. So, we had—we are not allowed to say their names—four members of that—

**The SPEAKER:** Yes, they have names. They are their electorates or their portfolios.

**Mr MARSHALL:** The member for Hartley, the member for Newland, the member for Playford, and I think we had one other member on that committee, the member for West Torrens. Can I say, sir, that there is not one day of manufacturing experience amongst them—not one day, not an hour—and that is the task force. I ask the Premier: can he report progress of the manufacturing ministerial task force and what they have done to secure the future for Holden?

*Members interjecting:*

**The SPEAKER:** Before we go to the Minister for Manufacturing, this is not a gospel revival tent and therefore rhetorical questions do not need to be answered by members who do not have the call. Accordingly, I call to order the member for Heysen and the member for Taylor. The Minister for Manufacturing.

**The Hon. T.R. KENYON (Newland—Minister for Manufacturing, Innovation and Trade, Minister for Small Business) (11:03):** Thank you, sir—and I will tell you and this chamber what former premier Playford would have said. He would have said, 'Pay up.' He would have rung Bob Menzies and said, 'You have to do what you need to do to protect this industry.' He would have said, 'This industry is too important to lose.' He would have said, 'We need this industry to keep our productivity up.' He would have said, 'We need this industry because we need to keep education and our skills up. We need the engineering skills.' That is what he would have said. He would have rung the Prime Minister and said, 'You need to protect this industry.' That is what he would have said, 'and while you're at it, I might nationalise electricity, as well'.

The only complete supply chain in this country is provided by automotive manufacturing right from the very start: concept, design, engineering, prototyping, tooling, component manufacture, assembly, sales, service and recycling—all these things, not to mention the transport, mum-and-dad delis and all the rest that hangs off it. This is the only complete supply chain in the country, and there is only one side of politics that is not interested in keeping it, and it is not on this side of the house.

The R&D spend, the biggest in the nation, comes from automotive manufacturing. That is what is at risk, and that is what Thomas Playford would have known. He would have known that that needed to be kept. With the engineering ability, he would have said, 'This is too important to the rest of manufacturing, this whole manufacturing industry that I've built up in South Australia. Engineering is a key component of that and that's why we need to keep it.' That is what Thomas Playford would have said, and that is what the Leader of the Opposition is not saying to Tony Abbott.

There is the productivity flow-through that we get. Productivity is a key ability of the automotive manufacturing industry. It is actually a relatively efficient manufacturing process, with productivity growth of between 2.5 per cent and 8 per cent, depending on which factory you are looking at. That flows out right across manufacturing, it flows across resources, and it flows across into some areas you would not even think about, where you would not even think it had an effect. Sam Walsh, the CEO of Rio Tinto, said:

If I look at the various things I have shamelessly lifted from the car industry, the most obvious is the business improvement model. To the uninitiated, the two industries might seem worlds apart...If I had to name one thing I have transitioned from...the automotive industry...[right] across to what Rio's mining operations are doing today, it would be an intense, laser-like focus on value and efficiency...

But you might ask, what does operating a collection of large mining pits in the Pilbara have in common with producing precision engine components or wheel bearings? The answer is that these approaches to processes and production are about bigger and more general questions than a specific product or sector. At their heart they are about solving problems and the essential problem is the same for everyone. What is wasting our time, our labour,

our workforce skills, our energy consumption, our resources and our money? How do we discover it, isolate it, analyse it and eradicate it?

Rio Tinto wants automotive manufacturing to continue in Australia because they know it matters for them—and that is exactly what Tom Playford would have told Bob Menzies, way back.

What will we see? Everyone knows what we will see: we will see a 1.4 per cent reduction in the gross regional product, according to the Allen Consulting report. Gross regional product is the economy of Adelaide; a 1.4 per cent contraction in that and it will take between 15 and 20 years to recover, just to get back to where we are starting from. Our economy is getting a benefit of \$21.5 billion across the country, a national benefit. That will go. That is at stake, and that is why Thomas Playford would have rung Bob Menzies and said, 'You need to keep this industry,' and that is what the Leader of the Opposition is not doing.

We are not talking about a competition between factories; we are not talking about relatively efficient factories because actually the Elizabeth plant is relatively efficient. What we are talking about is a competition between governments, between governments who recognise the importance of an automotive manufacturing industry and are prepared to pay for it—and the federal government needs to engage in that competition. That is what Holden is asking for, that is what we are asking for.

We have done everything we can, the unions and employees have done everything they can. The only government, the only people, that is not doing everything it can is the federal government. The federal government is the only one standing back, doing nothing, and hoping that some sort of productivity report will produce some sort of golden ticket to a new industry. It is not going to happen.

I will tell you another thing Thomas Playford would not have said: he would not have stood in this house and said, 'Let's have a committee,' as the Leader of the Opposition is doing. He would not have said, 'Let's all talk about it.' The Leader of the Opposition's idea of bipartisanship is essentially what you see from Richie Benaud and *The 12<sup>th</sup> Man*: 'Let's act as a team and do it my way.' That is his definition of bipartisanship.

Bipartisanship means taking the risks that you need to take and going and talking to the people you need to talk to and even saying so in public, maybe against the political interests of the political party you are a member of but certainly in the interests of your state. That is what bipartisanship means. It does not mean hiding under your desk talking quietly in the dark and hoping that no-one will ever know that you might have rung someone.

That is the only thing we can assume is happening on that side of the house. He is quietly sitting there, up on the second floor, hiding under the desk hoping no-one hears him ring Tony and say, 'Oh, Tony, can you help me, please?' That is what we are getting. He loves to talk about—

*Members interjecting:*

**The SPEAKER:** Be seated, Minister for Manufacturing. I know he is in full rhetorical flight, but he will be seated. I call the member for Hammond to order, but I was going to call the Minister for Health and the leader to order. Minister for Manufacturing.

**The Hon. T.R. KENYON:** The Leader of the Opposition is quite fond of talking about his experience in manufacturing. I will tell you what it boils down to: his daddy gave him a factory and when it got too hard he sold out and he bought a bigger boat. That is not what this state can afford. It cannot afford someone who is going to sell out the state and buy a bigger boat and make life a bit easier for themselves.

**Mr HAMILTON-SMITH (Waite) (11:10):** What a pathetic excuse for a government they are. Twelve years they have been in office; 12 years of state Labor. Now they seek to blame everybody—anybody—passing by for their failures. This motion has one object and the Premier alluded to it in his opening remarks, it is about trying to sheet the blame for what may and hopefully will not unfold to others. It is trying to absolve his pathetic rabble from any responsibility for the circumstances we now face in regard to the automotive industry.

I remind the house that, in the last 12 years, the economic circumstances we have faced have seen manufacturing employment decline from 85,000 full-time employees in that sector in 2002 to little more than 65,000 today, a reduction of over 20,000 employees, most recently collapsing in the past 12 months. During that period, we might ask why that is: because in that 12 years it has been Labor's taxes that have hurt the manufacturing sector; it has been Labor's

industrial relations regime that has caused pain; and it has been Labor's collapsed and failing WorkCover regime, the most inefficient and incompetent in the country that has caused chaos.

Under that 12-year governance, we have seen water prices increase by 257 per cent and electricity prices increase by 133 per cent, all creating further pain for our manufacturers. It is during that 12 years that Labor failed to grow exports; they have barely changed in 12 years. It has been Labor's failure to create jobs. It was Labor's failure under the former premier, Mike Rann, the member for Ramsay, that there was a complete inability to restructure this economy to face changing international developments. Now we have a splutter of life. Well it is too little, too late.

It was under Labor that we failed to invest properly in the motor car industry to deliver real advantages in research and development, despite all the money that was invested, and it was Labor's failure to keep in place the \$500 million Green Car Innovation Fund back in June 2011 that help create the very circumstance we find today. What did Mike Devereux the manager of Holden say when Labor prime minister Rudd canned that \$500 million fund? He said this:

Holden had accessed around \$200 million of the funding. We had to invest at a three to one rate so that means \$600 million of money coming into Australia for a \$200 million co-investment. And frankly losing that fund makes it very difficult to look forward to figure out where will that co-investment attraction come from in the future.

When did he say that? January 2011—and where was the premier then? Where were the ministers then? Where was the cabinet screaming for the federal government to reinstate that funding? There was a shuddering silence. I will tell you this, Mr Speaker, and let us hope it does not happen, but if Holden dies, buried shortly after will be the state Labor government. Rest in peace. A decrepit, pathetic excuse for a government in this state. You have created the business conditions we face today; you have delivered South Australia to a point of economic chaos just like you did last time. The people of South Australia—

**The SPEAKER:** The member for Waite will be seated. He will address his remarks through the chair. He will not use the second person when addressing me.

**Mr HAMILTON-SMITH:** Thank you, Mr Speaker. They delivered ruin in 1993 and they plan to deliver ruin again. The sooner the people of South Australia get rid of this pathetic lot, the better, because they are simply with this motion trying to sheet blame. Everyone on this side of the house wants to see a vibrant automotive industry in this country. To suggest otherwise, as we have just heard, is utterly disgraceful and, frankly, is beneath the comments from the persons who have made them. We all want to see Holden's succeed. We all want to see Toyota succeed.

But, do you know what, and I will just remind the house of this. When this pathetic excuse for a government oversaw the collapse of Mitsubishi in 2008, what was their language? Was it their fault? Was it the commonwealth government's fault? No, it was circumstances beyond their control. Decisions being made in boardrooms in Tokyo, totally outside the government's control, meant that Mitsubishi had to go. I could read the quotes from the former premier and the former treasurer. It was everybody else's fault but theirs. It was just the fact that the motor car company had decided it was not profitable to work in Australia any further.

Now, the language has changed. Now it is, no longer, should Holden decide to go it is the corporation's decision. It is somebody else's decision. It is somehow the Coalition's decision or it is our decision on this side of the house. The leader has eloquently exposed the Premier's shoddy arguments. No-one is a stronger advocate for Holden than our leader, our front bench and every member on this side of the house. The way you get results—and we understand that because we come from the business community: we run farms and we run small businesses—is by sensibly sitting down together and working out some solutions. You do not talk about the problems: you talk about the solutions.

Federal minister Macfarlane has offered to do just that. The Leader of the Opposition and all on this side have offered to do just that. Who has refused to quietly sit down with the company, methodically work through the issues and develop some solutions? The Premier and that rabble on the other side, Mr Speaker. They are the ones trying to play politics with this. They do not want a result. They just want to sheet blame.

That leads me to the next point: when did the Premier get really worried about Holden? I will tell you, because someone on his own side doxxed him in because they released to the media a report titled A Study of GMH in Australia by Professor Göran Roos dated August 2013, stamped 'Confidential Draft: Cabinet in Confidence'. What is in that report? Josh Dowling belled the cat rather well, because it explains that, for months now, prior to the federal election, the Premier had secret information, no doubt discussed in cabinet, that really raised the alarm bells about Holden.

Jane Reilly from the media asked the Premier whether he had seen the report and this is what was said. Reilly asked, 'Premier, have you seen the document?' and the answer from the Premier was, 'No, I don't know what The 'Tiser's got.' The last time I heard language like that was when somebody belted a former premier with a *Winestate* magazine and he was asked, 'Do you know that man'? I've never met him,' was the answer. Read carefully!

I want to know, and perhaps the Premier can tell us: has he seen the document, yes or no? He knows which one the media has. Has he seen it? Did it go to cabinet? I would like to ask the former minister whether he has seen it, and the current minister. I will bet, I would hazard a guess, they have all seen it and they have known what it says. It has all been reported in the media.

Its assumption is that Holden will close, and it goes through the reasons why. It spells out that the next generation of vehicle, should it be commenced (and we all hope it is), will, as the leader has explained, be a global platform. Gone will be the rear-wheel drive Holden, gone will be the Commodore, gone will be the ute and it will draw on the global supply chain. Even if it does proceed, there will be far more limited opportunities for downstream suppliers.

He has known all that. He has known that the news was not good. His own people have looked into it, explored the facts and come back to him and said, 'In all likelihood, Holden will be closing. The corporation will make this decision.' But instead of being honest about it, revealing the report and having it out there in the public space, we have this pantomime, because I suspect that at that time he was also told that, should Holden close, the effect could be dramatic. I suspect he was also told that Mr Jacoby, the new head of Holden in this division, might require anything up to \$2 billion or at least \$650 million in order for Holden to survive. And what language do we get from Kevin Rudd during the campaign? The language of \$2 billion.

What I suspect he has done is shared the report with the former prime minister, Mr Rudd, and the former Labor government, but he has not told the Coalition he has it. He has given information, I suspect—and perhaps he can clarify this—to a Labor federal government that he has denied to the Coalition. Why would he do that, if he is genuine? Because he has already decided, I suspect, in his heart of hearts that Holden is going. That is the advice he has. I suspect that is what he really thinks and he is just playing a political game.

What we are trying to do on the side with minister Macfarlane—and I can tell you that it is very earnest—is work with him to save Holden. We are working very hard. But they can explain to this house, Mr Speaker, why they cut their \$500 million Green Car Renovation Fund. They can explain to this house why, over the last 12 years, they have done nothing to help the car industry. They can explain why, over the last 12 years, Holden has been unable to transform itself into an engine room of R&D, vitally important to its global network.

And they can explain to us why, somehow, when they so failed that Mitsubishi closed and left on their watch, the rhetoric now is not that decisions made in boardrooms in Detroit will determine the outcome. Suddenly, it is the Coalition's fault or it is the state Liberals' fault. It is a decision that will be made by the company. They are a global corporation. This government does not understand, because hardly any of them have ever run a business. Hardly any of them have had to earn their own income through their own private enterprise endeavour.

They were happy to have a dig at the leader and many of us over here who, with their own hands, have built our own businesses. They were happy to do that but what they do not understand is that, when you run a business, it is either viable or it is not. You have costs; you have incomes; you have to work out a business plan that is sustainable. Holden will do that and we on this side will do everything we can with the federal Coalition to make sure that whatever funding we can provide is provided.

But do you know what? When Ford announced that they were leaving in Victoria, Dennis Napthine rang them up and said, 'Is there anything I could do?' and the answer were words to the effect that, 'It would not have mattered how much money you offered. We've made a decision as a corporation to go.' Stop playing politics with this. If you are dinkum, get together in a bipartisan way, as the leader suggests with Ian Macfarlane and let us work this through. If you are not fair dinkum—

**The SPEAKER:** The member for Waite's time has expired.

*Mr Hamilton-Smith interjecting:*

**The SPEAKER:** I warn the member for Waite for defying my ruling that his time had expired. In fact, before we get to the point of order, I stopped the member for Waite mid-flight

because he was not getting a fair shake with interjections from the government benches. The clock was not started again because he was given time on while I dealt with that disruption and, as a result, we have been blessed with, I think, three more minutes of the member for Waite than we bargained for. While we all celebrate that, perhaps the member for MacKillop has a point of order.

**Mr WILLIAMS:** A point of clarification, sir. I thought it was the practice of the house that, when a member was on his or her feet, and the time expired, they were able to finish the sentence that they were in.

**The SPEAKER:** Yes; normally, I let them more than finish the sentence. Normally I let them finish the paragraph. The member for West Torrens.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (11:25):** It usually does take the member for Waite 13 minutes to do what it takes everyone else 10 minutes to do, but that is okay. Fancy getting a lecture on integrity from the member for Waite, a man who forwarded documents into this parliament accusing me of gross corruption. Imagine that!

**Mr HAMILTON-SMITH:** Mr Speaker, I ask that that be withdrawn. I think it is unparliamentary.

**The Hon. A. KOUTSANTONIS:** I certainly will not.

**The SPEAKER:** I don't think it is unparliamentary. The argument might be that it is not germane to the terms of the motion. Perhaps the member for West Torrens will now move on.

**The Hon. A. KOUTSANTONIS:** Thank you, sir. The politics of Holden is very, very clear. The Leader of the Opposition said in his opening remarks that he criticised the Premier for commissioning reports when we already knew the outcome. He said we had wasted tax dollars in commissioning reports when we knew what the reports would say. If that is true, sir, why does he now support a Productivity Commission report into General Motors Holden if we know what the outcome is going to be? Because we have heard every member thus far say Holden is vital to this state's future.

If we already know that, why do we need to wait for a Productivity Commission report? Why? Why is that? Could it be politics? Could it be they know what the outcome of the federal deliberations will be? Could it be that the Leader of the Opposition has an inside running into what his colleagues in Canberra are about to do to the people of this state? Is it, sir, the reason that he is terrified lest the people of South Australia find out what his friends in Canberra are plotting behind our backs to do to the people of this state in March 2014? Ian Macfarlane has said publicly he understands that, without subsidy, General Motors Holden cannot survive, but he is not sure his colleagues do. He said that publicly.

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** They're not convinced.

**Mr Pisoni:** Where'd he say that?

**The Hon. A. KOUTSANTONIS:** Front page of the *Financial Review*, a paper you probably don't buy very often. If you take the example that Ian Macfarlane says his own colleagues do not support the idea of principles of subsidising the car industry, minding that every major car industry in the world is subsidised—there is not a car on Adelaide's streets that does not have subsidy in it; every single one of them does—how is it that Holden can survive without subsidy? The reality is they cannot. If we want to be a country that manufactures motor vehicles and requires subsidy, this country must manufacture vehicles.

It is vitally important to our national interest and it is important that the opposition comes clean and stops playing politics with this issue. Let's talk about the hypocrisy of their arguments. The Leader of the Opposition says in major speeches to his party conference that investment in public infrastructure is a false economy. He said it is a false economy—

**Mr Gardner:** That's a damn lie and you know it.

**The Hon. A. KOUTSANTONIS:** —yet when the Convention Centre purchases Marshall Furniture's seats, that is not false economy, Steven.

**The SPEAKER:** The member for West Torrens will be seated. The member for Morialta will withdraw that remark.

**Mr GARDNER:** Sir, I withdraw.

**The SPEAKER:** Thank you; the member for West Torrens.

**The Hon. A. KOUTSANTONIS:** Mr Speaker, why is it that when Labor governments spend on public infrastructure for the public good it is a false economy, but when that same government purchases chairs from a privately owned company that is not a false economy? Why is it that the Leader of the Opposition is happy to be a beneficiary of public subsidy but not for Holden? Why do we have to wait until March? Why can't we make the decisions now?

If the Leader of the Opposition is right, and reports are being commissioned to which we know the outcome, why delay? Why delay? I am not the one hiding behind a Productivity Commission report in March 2014; it is members opposite. So the people of South Australia will be right to ask: why is it that members opposite want this delayed until after March? Is it that they do not want to be held to account for the decisions of their friends and colleagues in Canberra? This leader, this Leader of the Opposition, does not have the backbone to stand up to Tony Abbott—

*Mr Marshall interjecting:*

**The Hon. A. KOUTSANTONIS:** And fake laughter won't hide it; fake laughter will not hide it. He cannot stand up to pressure, sir, will not say no to Tony Abbott, agrees with him every single time. Now is the time to stand up for your state. Now is the time to call yourself a South Australian first and a Liberal second. I am a South Australian first and in the Labor Party second. I put this state first and I call on the opposition to do the same.

**Mr Marshall:** Put your state first!

**The Hon. A. KOUTSANTONIS:** I will put my state first. If only members opposite did. Companies will not invest in this state if you change the rules on them. They will not. Yesterday, it was reported in the paper that the Deputy Leader of the Opposition criticised a BHP indenture; she criticised it. She was so appalled by it that she voted for it. That's how appalled she was. Then she wanted to criticise the Santos indenture. The two largest employers in the state and the Deputy Leader of the Opposition is flagging changes to the indenture agreements. What does that do to business confidence in this state?

Now they want delays to the Productivity Commission report until after March. What does that say about Nyrstar? What about Nyrstar? Is Nyrstar next? This opposition is a true threat to the people of this state. When the Leader of the Opposition received a \$50,000 grant from his friend Nick Minchin to make his business competitive from foreign takeover—

**Mr Marshall:** I hadn't met Nick Minchin at the time!

**The Hon. A. KOUTSANTONIS:** That's an interesting remark to say in parliament. When he received a grant from Nick Minchin for \$50,000 to keep his business competitive from foreign takeover, what did he do? After he received that public subsidy to protect his business from foreign investment, what did he do? He sold it to foreign investors—he sold it to foreign investors. So don't lecture us about subsidy. Don't lecture us about taking a dollar from the taxpayer when you do yourself. When it's good for you, it's fine. But not for Holden's, they will not do for Holden's. You have to ask yourself, why are they trying to hide this?

**Mr Marshall:** It was not a subsidy. It was a demonstration program.

**The Hon. A. KOUTSANTONIS:** Oh, that's different! And what was that demonstration program about? That demonstration program was about taking money from the taxpayer to re-fence your company to protect it from foreign takeover. So what did he do? He took that money, made it more profitable and then sold it to a foreign company, and those jobs have gone offshore.

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** I am not the one wanting to change the rules on the business community; it is the Deputy Leader of the Opposition. It is the two people who are arguing against the BHP indenture and arguing against Santos. You have to say, today we have learned of another Productivity Commission inquiry—another one! Which is due to report when? In March 2014. What is that investigating? Alternative funding for infrastructure. What is that code for? Tolls.

Another one! Two inquiries by their friends in Canberra, but of course a first-term MP does not have the ticker, the wherewithal or the know-how to stand up to a politician who has been in parliament for 20 years. Tony Abbott is going to take this guy for a walk around the block and tell him how to run the state. A vote for the Liberal Party is outsourcing this state's governorship to the eastern seaboard. We cannot let that happen.

In conclusion, the members opposite are praying and hoping that the people of South Australia will not wake up to their false accusations, because they do have plans for South Australia, they do have policies, they are just secret plans, secret plans to see Holden's shift offshore, to save that money; tolls for South Australian roads; more privatisations. Mr Speaker, you have to ask yourself this, in conclusion—

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** Sir, I sat quietly through—

*Mr Hamilton-Smith interjecting:*

**The Hon. A. KOUTSANTONIS:** I always get concerned when a man of your age gets so red. Take a deep breath, deep breathe, deep breath.

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** I don't raise assaults on premiers like you did—coward.

**Mr PISONI:** Point of order, sir: I believe—

**The SPEAKER:** If the member makes a point of order—

**Mr PISONI:** Unparliamentary.

**The SPEAKER:** —it will be rather inconsistent with his conduct for the last 10 minutes.

**Mr PISONI:** Well perhaps I shan't do that then.

**The SPEAKER:** That would be a very good idea, because the member for West Torrens has sorely provoked the opposition for the entire 10 minutes and they have responded in kind and the whole thing was highly disorderly—and consensual.

**Mr SIBBONS (Mitchell) (11:35):** I have spent the majority of my working life working on cars and representing workers who build and repair cars. I spent four years as an apprentice learning two trades as a body maker and spray painter. I learnt skills beyond my trade such as fitting and machining, engineering, drafting, chemistry, metallurgy, vehicle design, tooling, plant design and maintenance, lean manufacturing and, most importantly, how to work as a team in an ever-changing environment.

**Ms Chapman:** There's the man for the job.

**Mr SIBBONS:** I am a vehicle builder and I am proud of it. After 16 years working at Mitsubishi I will never—

**The SPEAKER:** It's very kind of the deputy leader to say that the member for Mitchell is the man for the job, presumably for Mitchell, but it is disorderly.

**Mr SIBBONS:** After 16 years working at Mitsubishi, I will never forget the faces of thousands of employees at the Lonsdale plant in 2004, and my fellow workers at the Tonsley plant in 2008. Therefore I, perhaps more than anyone in this place, can stand before you today and speak on behalf of the 2,500 workers at Holden's and the 13,000 South Australian workers whose livelihoods depend on the automotive industry.

I know how they are feeling right now: living on a knife edge of anxiety and uncertainty, sick, let down, frustrated, and angry. They are wondering why—when they have agreed to wage freezes, proven themselves open and flexible in terms of hours and conditions, and shown their dedication and loyalty—they are still being hung out to dry. That is how they feel and they have a right to feel that way.

This time we have a golden opportunity to throw support behind our auto sector and secure Holden manufacturing operations for another decade and beyond. Every single nation in the world that can build a car from the ground up provides government support. Australia has one of the lowest levels of support for our car industry already, and desperately requires a long-term commitment from federal and state governments, if we want it to stay. This is why the Abbott

government's decision to walk away from a co-investment package and reduce industry support by half a billion dollars is a decision that will bring the axe to this industry in this country once and for all.

Two months ago I stood in this place and said that the Abbott government's decision to rip out \$500 million of committed funding from the Automotive Transformation Scheme sent a shiver up the spine of automotive manufacturers in Australia. That shiver has now turned to pneumonia, and, if we do not wake up and call the Abbott government in Canberra as soon as possible, we will soon be hearing the death knell for this industry, and the devastating flow-on effects to our economy will be far-reaching and destructive for decades to come. Our children will feel it and so will our grandchildren.

With our manufacturing suburbs being home to nearly half of the people who are unemployed or on disability pensions, our most vulnerable communities will be those worst impacted. It is not by accident that organisations like Anglicare, Baptist Care, Centacare and the Child and Welfare Family Association and the Uniting communities have joined the More than Cars campaign. It is because they have seen the generation of poverty that will be the result of Holden's closing its doors.

The Liberal parties both state and federal need to put their money where their mouth is and get behind a co-investment package to keep our vehicle industry alive and well on Australian shores. If not, it will soon be a massive economic blow for our state, because Holden is much more than a factory that builds cars; it is a diverse and thriving community which has played a significant role in the lives of thousands of South Australians and their families for generations. It is an iconic brand that has been a part of the cultural history of our great nation. It is a symbol of national pride and prosperity, of a quality product made by Australians in Australia.

The value of vehicle manufacturing plants cannot just be measured economically in terms of jobs and investment; it is about people and communities in which they live, and the values which they live by. The Liberal Party has long been divided about industry support, but it is time for economic philosophy and political party lines to take a back seat. In the interest of the 16,000 South Australians whose future is right now on the line, it is time to stand up for what is right. Support a prosperous South Australia which has Holden manufacturing at its heart for future generations to come.

**The Hon. R.B. SUCH (Fisher) (11:41):** I must say, I was not all that impressed by the recent behaviour in this chamber in dealing with what is a very serious matter, when we are talking about the future of Holden's and the people who work there, and the others who depend upon Holden for their employment and livelihood.

I remember when Mitsubishi left this state. That was an unfortunate development, but I see some parallels in relation to what happened there and what could happen in respect of Holden's. I drive a Holden, as do many in here. They are excellent motor cars; I think I am on my fifth one straight, and I have never had a problem with any of them. They are well-engineered, good cars, and are beautiful pieces of machinery.

There are a couple of things that come to mind; the first one is: is the company making the cars that people want? Some people want a larger car such as the Commodore and the Calais, but others do not. The other cars they supply (Barina and Captiva) are essentially imported. I think it is a question that needs to be answered, and answered very quickly, by Holden's and other manufacturers in Australia: are they making what the public want? There is nothing wrong with the quality of the product they produce now, but clearly they are not producing what the public want on a wide scale. That is part of the matter that needs to be addressed.

If you look at what is popular now, there are the so-called SUVs and the Holden import one, the Captiva, but there is a whole range of vehicles that could and should be produced here. We are one of the largest markets in the world for true 4-wheel drives—genuine off-road vehicles. We have not had a local manufacturer get into that field. Ford have dabbled a bit, but not in the category of the heavy-duty off-road vehicles which are sold in their thousands in this country every year.

So, one of the issues I raise is this: is the company making what the public want? I think they need to upgrade their technology. I know they are into some robotics, but if you look for a comparison with Germany, which is not a low-wage country—we are a high-wage country, and I am not advocating lower wages. In fact, members might have noticed yesterday that experts in the

field of industrial relations have said that lowering our wages in this country would not do anything of significance for the future of this country. But, if you look at Germany—

*The Hon. A. Koutsantonis interjecting:*

**The Hon. R.B. SUCH:** If you look at Germany—

**The SPEAKER:** The Minister for Transport is called to order.

**The Hon. R.B. SUCH:** If you look at Germany, they—

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** The Minister for Transport is warned for the first time.

**The Hon. R.B. SUCH:** If you look at Germany, they take a smart approach to production. Members would be very familiar with some of their companies—and as I said, it is not a low-wage country—such as Bosch, Miele, and Karcher; they are working flat-out around the clock because their production is efficient and their costs are kept down by very smart technology and smart production techniques. We need to get into that mode of production and also with a continuing focus on quality. People will pay, I believe, a little bit more sometimes for quality products.

If we look at the car industry in Australia, and I welcome foreign investment, but the problem is that they are foreign-controlled—controlled overseas. Look at what happened to Ford: the head office of Ford would not allow the Victorian Ford enterprise to compete worldwide. They would not allow them to export. So, whilst you get foreign investment, you get foreign control, which takes away the opportunity often for export initiatives and things like that, because the head office does not want local manufacture in Australia competing necessarily with their worldwide operation.

We do need a manufacturing base in South Australia. We used to make agricultural machinery here. We only make limited items now. We used to make bicycles here. In fact, there was a little bicycle factory opposite where I grew up at Hawthorndene. A guy used to make custom bikes; he had a family business. We used to make washing machines in great number, very sophisticated weighing machines, lathes—members who went to a technical high school would be familiar with the Hercus lathe.

A lot of that has disappeared, and we cannot afford to be sole importers totally dependent on manufactured goods, because the way we are going, we might end up with a thriving agricultural sector if that is given the right support and we continue to put some research into agricultural endeavours, but if we are not careful we are going to end up selling plastic boomerangs made in China to Chinese tourists, because we will have no manufacturing basis.

As the member for Mitchell pointed out, we will lose the skill base of toolmakers and highly skilled people like that. We will not be able to manufacture anything in this country and we will be purely dependent on others. That could be critical in a time of military crisis. Hopefully that will never occur, but you become dependent on others if you do not have some sustainable manufacturing basis. So, I come back to the original point. I think Holden's need to look, with support from government, at whether they are making the vehicles people want and whether they have the technology and the production approach that is necessary in this day and age.

**Mrs VLAHOS (Taylor) (11:47):** I rise to support this motion. Holden plays an integral role in my electorate and the economy of this state. Its heart is felt within my electorate strongly and in the north in our state and our nation. I know I have met constituents and families in this area who are reliant on this industry and they face tough choices in terms of their employment recently. I have mentioned that in a grievance earlier in the year.

Those who have not taken a redundancy package were told that they either had to take a hit in their wages or face a plant closure. They have stood stoically by while the new government in Canberra has delayed, almost as if they were forced to watch Rome burning while Nero fiddled.

According to the Burgan report, the automotive industry employs approximately 52,000 people around the country and 13,000 people are reliant on the industry in South Australia. It is the equivalent of 10 per cent of our state's total manufacturing workplace and industry contributes \$1.5 billion to our gross state product. That is roughly 1.7 per cent of the gross state product.

Just like the recent title of the More Than Cars campaign, this is more than just an ambit concerning T-shirts and things, as someone suggested on the other side earlier. This is about the lifeblood of the people I represent. My electorate has many small businesses that rely heavily on

the operations of Holden and their sales. From bakers to cleaners, a whole lot of people rely on this, not just the manufacturing industry. By delaying the decision on co-investment packages, the commonwealth government compounds the uncertainty and makes life harder for them. I will not stand by and let this happen. I will support this motion and do everything I can to fight for this industry.

**Mr WILLIAMS (MacKillop) (11:49):** I will be quite brief. I have been a strong supporter of Australian manufacturing all my life. I have only ever driven Australian-manufactured motor cars—mainly Holdens, but I have driven a few Australian-manufactured Fords over the years. It has always annoyed me, when I drive around, to see people driving imported cars, yet they would argue that as a nation we should be subsidising the car industry. I have always chosen, as a point of my own conscience, to drive an Australian-manufactured car, as I support local industry and local business in my electorate through my business. I think that is something all South Australians should aspire to do.

What is the solution to Holden? Why is Holden contemplating its future in South Australia? I was genuinely shocked when Ford announced that part of the reason it was pulling out of manufacturing in Australia was that it costs double the amount to build a car in Australia than it does in Europe. I knew it would cost a lot more to build a car in Australia than it would in Asia, but I was shocked to understand that it costs double to build a car here than it does in Europe. Why does it cost so much more to build a car here? That is the question we should be asking ourselves.

Is it efficient for a government to tax the community in order to overcome the cost burden our society places on manufacturing? That is what the proposal before us really is. Let me give just one example of where this government could have done something substantial to help Holden and every other manufacturer. The member for Mitchell suggested that 16,000 South Australians rely on their employment from that business Holden. If that is the case, and their average wage or salary was some \$50,000 a year, the WorkCover burden by their employers in South Australia would be \$12 million a year more than it would be if they were employed in another state.

There is part of the problem: \$12 million a year more is paid just on WorkCover on the people who are employed as a result of Holden being here in South Australia. That is something the government of South Australia, this Labor government, has failed to address over the last 12 years. We are paying at least 1½ per cent more just on WorkCover average premium rates than is paid in other states. That is just one of the cost burdens facing manufacturers in this state.

We know that this is the highest-taxing state in the nation, and those taxes are reflected in the costs of manufacturing items. That is why, I put to the house, that it costs so much more to manufacture a vehicle here in Australia than it does anywhere else in the world. If it costs twice as much to build a Ford in Victoria than it does in Europe, I suspect it costs even more so (because I know the manufacturing costs are higher in South Australia than they are in other states because of this government) to manufacture a vehicle here in South Australia.

This government, instead of saying that the problem lies at the feet of those in Canberra, should look within its own backyard and ask, 'What could we have done?' I have been arguing the case against this government's attitude to WorkCover for a long time in this place. This government could have done something to bring down the average premium rate of WorkCover to that enjoyed by manufacturers in other states over a long period of time, and that would have made a huge difference to the cost basis. That is the sort of thing that a bipartisan approach to this matter may have resolved.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (11:53):** When I sought to move this motion, I did so with the hope that we would be able to send a very clear message, on a national basis, of the will of this South Australian parliament about the future of Holden. I instructed my team to make constructive contributions on the basis that this was an important debate where we needed to express the very clear position of this parliament in support of this very important issue.

Instead, we have, from the Leader of the Opposition down, mere abuse that has cascaded from the other side of the chamber throughout the whole of this debate. Indeed, we have those members opposite talking about Holden almost in the past tense as though Holden had already closed. What they are doing is betraying the idea that there is a white-knuckled panic on the other side of the chamber that they are going to be held responsible for their lack of action in standing up for Holden's. Let me tell you that through the whole of my working life I have—

*Mr Marshall interjecting:*

**The SPEAKER:** The Leader of the Opposition is warned for the first time.

**The Hon. J.W. WEATHERILL:** Through the whole of my working life, I have represented working people—from the first day to this day—and I have done that fearlessly, I have done it on the basis that—

*Ms Chapman interjecting:*

**The SPEAKER:** The deputy leader is called to order.

**The Hon. J.W. WEATHERILL:** I have done it on the basis that I understand that there are times when you need to stand up and fight, when you go to the people you represent and you ask them what they need, and you courageously represent that, no matter the strength of the foe on the other side of the debate, no matter who you upset and no matter what the personal cost it may take politically.

We did that when we took on Kevin Rudd, in the middle of a federal election campaign, over his FBT changes. That did not create popularity within the Australian Labor Party for me or for the South Australian government. The minimum basic test of leadership is to stand up for your state. The minimum basic responsibility of a leader of this state is to stand up for his state, and that is a test the Leader of the Opposition has abjectly failed—abjectly failed.

What do you call this when you stand on the front steps of Parliament House and you pull on a More Than Cars T-shirt and you are happy to have yourself photographed appearing to be supporting the cause, and then a few moments later you walk over and you speak to the press gallery and cravenly back in the federal government's \$500 million cut, and you back in their delay which is putting at jeopardy the future investments in Holden's? What do you call that? What do you call that sort of behaviour? I call it spineless—a spineless Leader of the Opposition who is not prepared to stand up for his state.

Motion carried.

#### **CONTROLLED SUBSTANCES (SIMPLE CANNABIS OFFENCES) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 31 October 2013.)

**Mr GARDNER (Morialta) (11:59):** I am very pleased to be able to rise to support the Controlled Substances (Simple Cannabis Offences) Amendment Bill, and it is something I have been looking forward to doing for a couple of years now. It was, indeed in September 2010 that the Hon. Ann Bressington introduced this bill into the Legislative Council. It was a very important bill then, and I was very pleased to be part of the Liberal opposition supporting it at the time, and supporting its successful passage through the Legislative Council; and it is still important now. Parliamentary counsel advises that all the measures are still salient and, certainly, from a policy point of view, there is significant value in this bill.

The reasons are strong. Cannabis is an absolute scourge in our society, not just for the effects it has on the individuals who find themselves addicted to this substance but also for the broader effects on their families. The fact that there are still some people in society who argue the case that it is not a dangerous drug is part of the concern, and the government and parliament need to take a strong stand in ensuring that members of the community, and particularly young people, understand the dangerous consequences of cannabis use.

Only this week, *The British Journal of Psychiatry* published a paper called High Potency Cannabis and the Risk of Psychosis, dated 12 November 2013, particularly in relation to the form of cannabis called skunk, which has a high level of THC content. The paper identifies that:

Those who used high potency cannabis (skunk) not every day were 5 times more likely to suffer from drug induced psychoses and those who used it...every day were 12 times more likely to suffer from psychosis.

The oft-cited Degenhardt report, 'The relationship between cannabis use, depression and anxiety among Australian adults: findings from the national survey of mental health and well being', which is from about 2001—this is not new—identifies that:

Those who had drug use disorders, such as cannabis abuse, were between 3.5 to 10.7 times more likely to develop an affective disorder than those without drug use disorders.

Those members of the parliament who have personal experience of family members who have suffered from mental illness and psychosis (schizophrenia is one I am personally very attuned to) would be well aware of the devastating impacts and challenges this can pose in an individual's lives and those of their families. Regular use of cannabis increases by a huge factor the chance of somebody developing these issues. Irregular use of cannabis in a number of people, research shows us, also increases the likelihood.

The fact is that we know that through the 1980s, and even into the 1990s, there was a permissive approach to substances, particularly cannabis. We all remember the 10-plant rule that used to be the way. As a university student in the mid-1990s, I remember driving interstate and, if a police officer saw a young person on the road with South Australian plates, it was the expectation that you would be pulled over and the car searched for drugs. I note the Speaker is nodding. It was something that happened to me on about three occasions.

I only drove interstate about five times over the course of my university career for student conferences on this or that, and I am pleased to inform the house that I and my car were given a clean bill of health every time. That is beside the point. South Australia, in particular, had the reputation amongst law enforcement agencies across Australia as being a place where people were able to grow so much cannabis that it was exported in an incredible way. While that has been cut back, this bill will redefine the amount of cannabis that can be carried before it attracts the appropriate prosecution.

'Personal use' has been used as such a broad term. Ten plants was personal use and now it is less than that. This bill will reduce it to 25 grams from 100 grams, but 100 grams, as the Hon. Ann Bressington pointed out in moving this bill, amounts to 50 individual two-gram bags, and 100 grams of cannabis has a street value (and this is in 2010, according to the police) of \$1,250, so a \$300 fine is not really going to act as the disincentive that we are talking about. Reducing it to 25 grams is a much better reflection of personal use.

The old permissive approach, I think, was driven by a number of factors. There was a broader misunderstanding of the dangers of the drugs, and I referred to the Degenhardt report from 2001. The science has been very strong in the last 15 years, I know, since the early 1990s when there was a national approach from the ministers and a national body of research was accumulated. The national household survey started in the early 1990s on these matters, so that data is in and the dangers are better understood.

There was also the negative cultural influence of people who were pro drugs. They talked about 'party drugs' and 'recreational drugs' in order to change the language, to make people feel as if there were bad illicit substances and okay illicit substances. The party drugs and the recreational drugs were supposedly not so bad. I think it behoves all of us, when we are talking to our communities, not to use terms like 'party drugs' and 'recreational drugs' because that does lead to an acceptance and it leads to the sort of permissive approach that has been taken before.

I have read a lot of debate at the time, and there was a Legislative Council committee in this building that had findings that suggested the belief that antidrug measures and antidrug approaches by governments did not work. In 1996, the Howard government was elected and it did have a different approach. From the late 1990s through to the defeat of the Howard government in 2007, the holistic approach towards substance abuse, known as the 'Tough on drugs' measures, was incredibly effective. It dealt with it not just in terms of law enforcement and the zero tolerance towards pushers, which it was, but also on the levels of health education as well as law enforcement.

In the health sector, the Howard government spent \$1.6 billion increasing support to non-government services providing drug and alcohol rehabilitation and treatment. It significantly made it more available for those with a substance abuse problem to be able to access the sort of treatment and rehabilitation that they needed. The Howard government also focused on education campaigns, not just in schools but also in communities, giving members of the public and parents the tools with which to talk to their families about drugs.

Those *Talking to Your Kids About Drugs* books, which were delivered to all families in Australia on two occasions, had a significant impact. In law enforcement, ministerial councils were not just about pushing zero tolerance of drug peddlers and increasing funding to customs. The federal government did everything they could do across the board.

The result of that was that between 1998 and 2007, there was in fact a significant decrease. Just to use cannabis as an example, the AIHW national drug household survey showed

a decline from 17.9 per cent of the Australian population having used illicit drugs in the previous year to 9.1 per cent. They halved drug use in Australia. I seek leave to table this Table 2.1 of the AIHW household survey on drug use.

**The SPEAKER:** Can the member assure the house that it is a purely statistical table?

**Mr GARDNER:** It is a statistical table and I would suggest that perhaps Hansard could remove anything they do not consider to be statistical, if that is a concern.

Leave granted.

Table 2.1: Summary of recent (a) drug use, people aged 14 years or older, 1993 to 2010 (per cent)

Drug/behaviour	1993	1995	1998	2001	2004	2007	2010	
Tobacco	29.1	27.2	24.9	23.2	20.7	19.4	18.1	down
Alcohol	77.9	78.3	80.7	82.4	83.6	82.9	80.5	down
Illicit drugs (excluding pharmaceuticals)								
Cannabis	12.7	13.1	17.9	12.9	11.3	9.1	10.3	up
Ecstasy (b)	1.2	0.9	2.4	2.9	3.4	3.5	3.0	down
Meth/amphetamines (c)	2.0	2.1	3.7	3.4	3.2	2.3	2.1	
Cocaine	0.5	1.0	1.4	1.3	1.0	1.6	2.1	up
Hallucinogens	1.3	1.9	3.0	1.1	0.7	0.6	1.4	up
Inhalants	0.6	0.4	0.9	0.4	0.4	0.4	0.6	up
Heroin	0.2	0.4	0.8	0.2	0.2	0.2	0.2	
Ketamine	n.a.	n.a.	n.a.	n.a.	0.3	0.2	0.2	
GHB	n.a.	n.a.	n.a.	n.a.	0.1	0.1	0.1	
Injectable drugs	0.5	0.5	0.8	0.6	0.4	0.5	0.4	
<i>Any illicit (d) excluding pharmaceuticals</i>	13.7	14.2	19.0	14.2	12.6	10.9	12.0	up
Pharmaceuticals								
Pain-killers/analgesics (c)	1.7	3.4	5.2	3.1	3.1	2.5	3.0	up
Tranquillisers/sleeping pills (c)	0.9	0.7	3.0	1.1	1.0	1.4	1.5	
Steroids (c)	0.3	0.2	0.2	0.2	—	—	0.1	
Methadone (e) or buprenorphine (f)	n.a.	n.a.	0.2	0.1	0.1	0.1	0.2	up
Other opiates/opioids (c)	n.a.	n.a.	n.a.	0.3	0.2	0.2	0.4	up
<i>Any pharmaceutical (g)</i>	n.a.	4.1	6.3	3.9	3.8	3.7	4.2	up
Any illicit (d)(g)	14.0	16.7	22.0	16.7	15.3	13.4	14.7	up
None of the above	21.0	17.8	14.2	14.7	13.7	14.1	16.6	up

- (a) Used in the previous 12 months. For tobacco and alcohol 'recent use' means daily, weekly and less than weekly smokers and drinkers.
- (b) Included 'designer drugs' before 2004.
- (c) For non-medical purposes.
- (d) Did not include GHB and Ketamine from 1993 to 2001.
- (e) Non-maintenance.
- (f) Did not include buprenorphine before 2007.
- (g) Included barbiturates up until 2007; did not include methadone in 1993 and 1995; did not include other opiates from 1993 to 1998.

Note: some trend data were updated in 2010.

**Mr GARDNER:** The table demonstrates a significant decline in drug use, particularly cannabis, but in all drugs across the spectrum, with maybe one or two exceptions on the very low levels. Cannabis use reduced from 17.9 per cent to 9.1 per cent. The problem is not going away,

however. In the last three years, the most recent data from 2007 to 2010, after the end of the Howard government, showed an increase from 9.1 to 10.3 per cent in cannabis use. It is the first time it has increased in the history of the 'Tough on drugs' policy, so it demonstrates that there is more to be done.

As a state government, as a state parliament, we need to do more. This sort of measure as outlined in this bill is part of it. Other measures that the opposition has suggested, include limiting the number of times an individual can be diverted to drug diversion programs to a maximum of two, so that on the third strike somebody has to be charged unless a magistrate decides that a third attempt at treatment will work. That will improve things.

There are people who have been going through these drug diversion programs 12, 13, or even 15 times in one instance. The secret is that you do not even need to show up to get the tick. If you are diverted, you are told when you can go to an education session, but not showing up will not actually lead to a charge. There are more things the state government can do to improve this and this bill will be an important measure.

**Mrs VLAHOS (Taylor) (12:10):** I would like to speak briefly on some of the matters that this bill has brought before the house today. Certainly it is a complex area, but I think to start with I would like to talk about some of the history of drug policy in this parliament. The opposition has restored this bill because it believes that drug use is harmful; indeed, many of us in this house would not argue with that fact. The government agrees and wishes the opposition would devote as much of its time to targeting drug traffickers and commercial dealers as it does on targeting minor offenders.

However, the government has introduced two bills in this parliament to bankrupt drug traffickers. The first attempt was blocked by the opposition, and the opposition seems determined to avoid dealing with the second bill currently before the Legislative Council. The bill blocked by the opposition was the Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment Bill 2012. That bill, if passed, would have allowed the courts to bankrupt repeat drug offenders and commercial drug traffickers.

The Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment Bill 2012 was introduced to the parliament by the Attorney-General on 14 February 2012. It passed this place on 15 February 2012 and then went on to be amended by the other place. The government ultimately removed the bill from the *Notice Paper* because it was simply pointless to pass the bill in the form that the opposition reduced it to.

The Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment Bill 2012 was premised on the idea that all property of certain drug offenders (described in the bill as prescribed drug offenders) should be confiscated, whether or not it had any link to the crime at all and whether or not it was legitimately earned.

The bill created two categories of offenders, named prescribed drug offenders in the bill. The first is repeat offenders, and the second is the major offender, whether or not it is repeated. The repeat offender would have been caught if he or she was convicted on a third (or more) nominated offence within a period of 10 years. The nominated offences were: possession of a prohibited drug with the intent to sell or supply, manufacturing or preparing, or selling and supplying, or offering to sell or supply, a prohibited drug; possession of a prohibited plant with the intent to sell or supply, or selling or supplying, or offering to sell or supply a prohibited plant; attempting to commit these offences; and conspiring to commit these offences.

The major offender would have been caught if the person committed any one offence at any one time involving a prohibited drug or prohibited plant that exceeded the prescribed amount. Once a person became a prescribed drug offender, they were liable to be essentially bankrupted by the court. Under a similar scheme in WA and its counterpart in the Northern Territory, all of the declared drug trafficker's assets were subject to forfeiture—everything.

The government took the view that it would ameliorate the harshness of the scheme by providing that the prescribed offender forfeit everything except what a bankrupt would be allowed to keep. Despite this attempt to reduce the harshness of the policy, the opposition was still unwilling to support it. It is completely hypocritical for the opposition now to claim it is tough on drugs by supporting this bill, which targets minor offenders, and yet refuses to support a bill that will severely damage the Mr Bigs of the drug world.

There are a couple of other points, though, that I would like to make in my remaining time. As a health administrator and someone who grew up in Queensland, where plants flourish in warm tropical heat, I know that the actual evils of cannabis are not to be underestimated. In fact, I knew people at university who effectively fried their unique and precious brains through drug use, and it is a sad loss to society. Cannabis has been an illegal drug for many years, and it is derived from the *Cannabis sativa* plant. The main ingredient in cannabis is called delta-9 tetrahydrocannabinol, commonly known as TCH, as mentioned by one of the members opposite.

Cannabis can be used in three major forms: marijuana, hashish and hash oil. Marijuana is made from the dried flowers and leaves of the cannabis plant, is the least potent of the cannabis products and is usually smoked. Hashish is more of a resin, a secreted gum, of the cannabis plant, and it is dried and pressed into small blocks and smoked. It can be added to food and eaten. Hash oil, the most potent cannabis product, is a thick oil obtained from hashish, and it is smoked.

The harms from cannabis, which I have seen as a health administrator coding records in hospitals, are clearly available. The available evidence highlights the long-term effects of cannabis use as: increased risk of respiratory diseases associated with smoking, including cancer; dependence; decreased memory and learning abilities; and decreased motivation in areas such as study, work and concentration and caring for one's dependents if they are parents. Around one in 10 people who have ever tried cannabis will become dependent on it at some time in their lives, and people who use daily are most at risk, facing a one in two chance of becoming dependent. Young people are at even greater risk, because the use of cannabis on a daily basis at a young age, say, 15 to 17 years old, has greater risk yet again; and I will speak about that shortly.

Dependent users can experience a variety of psychological, social, and physical symptoms that include withdrawal symptoms of feeling irritable, depression, sleeping problems and decreased appetite. Some people experience the unpleasant effects of anxiety and panic when they use cannabis. In high doses, the drug can cause confusion, delusions and hallucinations. When I was at university, it caused a person I knew, who was a very bright person, to walk off a second-storey building.

Some people, particularly young people, or those with a family history of mental health problems, are most vulnerable because of the mental health effects of cannabis; and I will speak about that shortly. Although it is rare, some people may experience a short-term psychotic episode after a heavy session of cannabis use, and this can include delusions and hallucinations which place them and members of society at risk. Frequent cannabis use has been shown to increase the risk of psychotic illness and the development of depression. A similar table that was tabled before is something that I would use as evidence in the perils of this area.

I would like to particularly talk about the prevalence of cannabis use in some medically related studies that I obtained from the library. The Cochrane collaboration, which was released in 2011, goes through some of the prevalence of cannabis use in the world with connection to schizophrenia. As a proportion of population, these countries have incurred rates of schizophrenia related to cannabis use: Germany, in a study in 1993, 5 per cent; in Germany again in 2000, 13 per cent; in the UK, 18.9 per cent in a study for 2001; 23 per cent in the USA in the 1990 study; 40 per cent in the UK in 1998; 40 per cent in Australia in 1995; in the USA again, another study in 1994 was 41.8 per cent; 42 per cent in Ireland in a 2001 study; 43 per cent in Italy in a 2002 study; and 69 per cent in Sweden in a 1993 study.

People may say some of the studies are small quantities, but I have a plethora of articles that I have been given from the parliamentary library that outline the connection between cannabis use and cognitive functioning in patients with schizophrenia. They all go on for pages and pages about the connection and the effect it has on the white cells within the brain. One of particular relevance, I think, to this topic that members should be aware of says that abnormal brain development in utero is one of the genetic vulnerabilities that may cause people to have this. The second hit may come from altered brain development during adolescence caused by environmental factors such as cannabis use or psychosocial stress.

These two hits together would accumulate for the first psychotic episode, which is most often in late adolescence and early adulthood. The third may be a neurotoxic process which will cause a recurrent psychotic episode after mental illness onset. It has been hypothesised that this abnormal brain development can lead to disconnectivity between the brain areas, and from this the symptoms and dimensions of the cognitive dysfunction in schizophrenia arise. This is an area that we need to consider carefully, and I would urge the house to consider all the measures, but particularly to support the ones that affect the drug dealers, who should be bankrupted.

**Mr GRIFFITHS (Goyder) (12:18):** When you are a member of parliament, you talk about many things in the public eye, but drugs are something I have never spoken about before. I am moved to speak, based not just on what I have read in the second reading contribution from the Hon. Ann Bressington, but also on what I have heard for the last seven or eight minutes from the member for Taylor and the contribution from the member for Morialta, where they talk about worldwide studies and what the impacts have been, and the schizophrenia and the health issues that it impacts upon.

I am a believer in the future of our society, but I am so concerned by drugs—and by that I am more conclusive on that; cannabis has in most cases been some form of start opportunity for people—and the impact they are going to have on our society. It is behoven upon me, and I think the parliament, to ensure that we do look very seriously at this bill and support it.

As I understand it, the intent is to reduce the amount that can be held by a person from 100 grams to below 25. When you look at what a value attached to 100 grams is and the potential revenue for some person, the absolute disgrace that they are, out there trying to sell it to people—if you look at what they can make out of it and what the expiation fee is for holding that, there is such a serious imbalance and a real need for this to be reviewed.

I am frightened by the fact that, having grown up in a country town, I recognise now that, indeed, drugs were around me even then, in the late 1970s and early 1980s. There was a person who I was very friendly with and I have since been told that they had to have it basically every morning as you and I would have breakfast. That is how they started the day. I begin to wonder how they managed to operate and do things from a work perspective and everything when they were influenced by it so much.

I remember in an early social life you would be out with people and I now know it was around me, but I had no obvious knowledge of the fact that cannabis was in use in these places and I never tried it, although obviously I must have inhaled it second-hand I suppose, because it was around me.

**Mr Treloar:** You didn't inhale.

**Mr GRIFFITHS:** Didn't inhale it—but there must have been other things that influenced my attitude sometimes because of what I did. I am now so disappointed to be told—in many cases a decade after the fact—who was doing what and all of that sort of stuff and that is why I think it is so important that the parliament look at this.

By benefit of the research that the member for Taylor has been able to undertake with the library, it enforces upon all of us the impact that it is having, and it is upon generations. I have seen television documentaries produced concerning the 40s and 50s, that talked about the impact of drugs and cannabis upon people and how it led to many other stages through their life and what the long-term impact has been. I have no doubt that many are able to control it and reduce it and get rid of it when they have sensed the difference it makes to their psyche. When the member for Taylor quoted one in ten becoming dependant upon it, it frightened the life out of me.

The legislation provides an opportunity—and it was not deliberate, I respect that very strongly—for people to be out there and to have a supply amount on them allowing them to onsell it and make a large amount of money out of it with little risk of an expiation fee being imposed. Because they will make a lot more than what they are going to be charged if they are caught with it, it is behoven upon the parliament to do it right.

Even in my country area I am aware of second-hand stories of it growing in scrub country down the bottom of Yorke Peninsula for example. People would clear a little patch out in the middle of the scrub—2,000 or 3,000 acres—and even if it was a kilometre away, they would connect up to a farmer's pipe that came from a windmill and went to a trough to feed their sheep so they would have a water supply for it. All of a sudden the farmer would come across it two years after the fact and everything was ripped up but it was so obvious about what had occurred there. No matter where you live, it is part of what occurs around you.

So I think we have to 'nip it in the bud'. We have a responsibility to try and control it and from what I have been able to read and hear from others, this bill is a step in that process that allows the police to ensure that when they catch these people, the penalty far outweighs what the benefit might be for them.

By association with that I think there is going to be a far lesser incentive for people out there to try and sell this stuff and a fewer opportunities for those people that might be somewhat

weak-minded short-term to actually take up that opportunity, potentially impacting on their lives in so many ways in a negative way. I think it is behoven upon the parliament to say yes to this and it will bring in changes that actually influence the benefits that come from our society. It would give the police more opportunity to actually start getting these guys and women and catching them and making it much better.

I started off at the very beginning talking about our youth, and I am blessed that my own children have never done this—not that they would have ever admitted anything otherwise to me—but I believe that they have not done it. I am so positive about what I see—there are some fantastic young kids out there and it really is so sad to me to think that there is this absolute disgrace in our communities—people who go out and try and profit from innocence.

I think their innocence sometimes leads to being adventurous in the wrong way and this adventure leads to long-term promise for them. We have all heard stories of people whom we grew up with and those around us and those that live in our suburbs or our towns and how this has impacted upon them. This is one small way in which we can make a difference, and I commend the contributions that have been made so far and I hope that this is a measure that is supported by the parliament very strongly.

**The Hon. T.R. KENYON (Newland—Minister for Manufacturing, Innovation and Trade, Minister for Small Business) (12:24):** The Controlled Substances (Simple Cannabis Offences) Amendment Bill is a private members' bill originating in the Legislative Council and was restored to the *Notice Paper* as a lapsed bill on 31 October by the member for Morphett. I am glad to have the opportunity to talk about it today.

I have spent a reasonable amount of time in my life travelling around. My first job out of school was actually working on a cattle station in Queensland, but my second job was working in the snowfields up in Victoria. There was a woman who worked with me in the lodge that I worked at who also had a job working for the ski lift company. Her job with them was basically to get up first thing in the morning and de-ice the cables, which meant you ran the chair lift and hit the cable with a hammer, and the ice would fall off.

I was regularly woken at around 6 in the morning by the sound of a bong, because the first thing that this woman did when she got up in the morning was smoke a bong. I do not think that is recreational use, Mr Speaker; I think anyone who has to do that obviously had some level of addiction to that drug. That was not, of course, the only time that she would smoke during the course of the day. She would smoke a number of bongs over the course of any given day. At the end of work, she would go out, and that would usually involve some sort of drug use as well.

After that, I went to Cairns. It was a good year; I took a gap year off, but everywhere I travelled, I would see evidence of people who had varying degrees of cannabis use. For those who were heavy users, it seemed to me to be more than just casual use. When you have to have it first thing in the morning or before you do anything significant during the day, you have to make the assumption that it is more than casual use and that there is some element of addiction to it.

If you are going to accept that assertion, then you have to look at the consequences of that. A couple of my cousins across Australia have been heavy and regular users of cannabis. Both of them eventually suffered from schizophrenia. There is a link between cannabis use and schizophrenia. My understanding of the matter is that cannabis use triggers a latent schizophrenia. Now, I am obviously—

**Mrs Vlahos:** It is a recessive gene.

**The Hon. T.R. KENYON:** A recessive gene; thank you. The member for Taylor tells me it is a recessive gene, and that is triggered by the cannabis use. The interesting thing about that is that, as far as I can tell, there is no known level of use that will trigger it; it could be the smallest amount, or it could be the largest amount, but sometimes the use of cannabis triggers that gene.

Schizophrenia is not a pleasant sickness to have. I have watched two of my cousins suffer from it. One of them was very heavily medicated, and he had a wife and two children. He struggled with his medication so much that he would be on it for a number of months and would settle down—it was not particularly pleasant to watch him medicated, because it sort of dulled him—but eventually he would get sick of taking the medication because he hated the effect that it had on him, so he would stop taking it and would descend, slowly spiralling down, into the worst symptoms of the schizophrenia.

It was terribly, terribly hard on his wife and children. The worst bit, of course, was that during this time when he was not on his medication he would sometimes still smoke. He could not hold down a job because of his mood swings and everything else, and eventually he committed suicide. I have always associated the death of my cousin with his cannabis use. Without even having known the people who were involved in selling it to him or anything like that, I have never forgiven them for that event.

When I subsequently went on to Flinders University, there was a very heavy culture, especially within the Tavern, of cannabis use in that environment. I was subsequently elected to the student union that owned and operated the Tavern, and I started to work to eradicate it. Basically, it was dealt openly in the Tavern, and one particular dealer would come in, lay out all his bags on the table and people would come up to him and buy and sell. There were some people on the campus using drugs heavily, and you could see first-year students come in and see those who became involved in that culture decline. Almost none of them finished their degree; they would drop out at various points in the course.

One of my mates at school—a tremendously smart person and brilliant at maths—got involved in the drug culture. He dropped out and never finished his degree, and what we lost as a society was someone who was an excellent mathematician and who, no doubt, in the ordinary course of events would have made a valuable contribution to society. I have lost touch with him. I do not know where he is now; maybe he has recovered from that, or maybe he is still involved, but he certainly lost out and we lost a number of years in that process.

My view on these things is that I have never treated cannabis or marijuana as something that is trivial or something that is just a recreational drug. Even the two acceptable recreational drugs, tobacco and alcohol, are very heavily regulated. I am always happy to see discussion about the regulation of cannabis and marijuana because I have had some experience, or at least some observation of the experience, of people who have been heavy users and possibly, I think, addicts in the true sense of the word, in that they feel that they cannot function without continual consumption of the drug.

I am very pleased that the member for Morphett has brought this private member's bill into the chamber and allowed people to speak about it because it is something that does need to be discussed. I do not think that we as a community can afford to stand by knowing that there are mental health effects and everything else from the use of this drug and not from time to time discuss how it might be better administered.

This bill, of course, proposes to amend section 45A of the Controlled Substances Act and deals with the expiation of simple cannabis offences. It proposes to increase expiation fees for possession of cannabis, less than 25 grams, and cannabis resin, less than five grams, from \$150 to \$300. It includes a requirement for the police officer giving the expiation notice also to provide prescribed information, if it is reasonably available, to an alleged offender. The information would cover the health risks and criminal penalties relating to cannabis consumption.

Often, those who use cannabis or marijuana are completely of the view that it has no particular effect on anything. There is no widespread knowledge of the contribution of cannabis and marijuana to mental illness to the effect on the recessive gene. There is no widespread understanding, especially among young people, of the health effects of its consumption, so requiring that provision of information is certainly not necessarily a bad thing.

A further provision removes the possession of cannabis, 25 grams or more but less than 100 grams, and cannabis resin, five grams or more but less than 20 grams, from the cannabis expiation notice scheme and make these non-expiable criminal offences. It also seeks to move the cut-offs for expiation and expiation fees from the Controlled Substances (Controlled Drugs, Precursors and Plants) Regulations 2000 into the Controlled Substances Act, so coming from the regulations into the Controlled Substances Act; therefore, these aspects will only be able to be changed through a comprehensive parliamentary process. Again, as I have said, I think it is a good thing that we find ourselves here today discussing changes that might be made to that act.

**Mr TRELOAR (Flinders) (12:35):** I rise today to speak on and support the Controlled Substances (Simple Cannabis Offences) Amendment Bill. This has been restored into this house, and I congratulate the member for Morphett on bringing it back. It was originally introduced by the Hon. Ann Bressington MLC in the other place, of course, and it lapsed for a time. However, due to the good work of the member Morphett, and also the passion of the member for Morialta—who has, to some degree, been driving this within our party room—we are here debating it today.

I have listened intently to the contributions made thus far, and it is interesting that while marijuana or cannabis, and their resultant products, have obviously been around for many centuries, in the Western world at least it was really only from the 1960s onwards that it became more commonplace and more broadly used.

Given that time frame, the people who sit in this house and this parliament at the moment would all, at some point, either have had some exposure to it or been in a situation where its use was occurring. Indeed, the member for Newland has so intimately shared his rather sad tale of the death of one of his cousins which, he believes, was as a direct result of drug use. In essence, that is the ultimate price you pay for drug use, and society is being asked to pay that price more and more often.

This is a good bill. It seeks to reduce the amount of cannabis or marijuana that can be carried on one's person, from the current 100 grams to 25 grams. Effectively, what it does is preclude dealing from taking place in a somewhat legitimate way. With 100 grams being the current allowable level, that is exactly what happens: people are able to deal relatively openly in a rather large amount of marijuana or cannabis. Of course, it is the most effective pyramid scheme that has ever been invented. The reality is that a dealer can make quite a haul, in fact, from 100 grams of marijuana by dividing it into smaller and smaller amounts for sale.

This bill looks to reduce the permissible amount of cannabis to less than 25 grams and increase the expiation notice for possession above that to \$300. It brings South Australia more in line with the other states. As the member for Morialta quite rightly pointed out, for a long time this state was amongst the more permissive jurisdictions in the world, certainly in Australia, in regard to drug use. I notice that the member for Taylor did some wonderful research and took us through the origin of the plant and the various forms it can take. She mentioned marijuana, hash, hooch, weed, Buddha, dope. It is known by many terms, and of course there are many others I am not familiar with.

During the second half of the 20<sup>th</sup> century and the first decade or so of this century there has been any amount of drug paraphernalia come into use, and some weird and wonderful contraptions have been invented for the inhalation or ingestion of drugs. In fact, it was not too long ago that we had shops here in Adelaide that actually sold and dealt in paraphernalia rather than the drug itself. It had got to a point where for a certain section of society it was acceptable behaviour. As I said, it is a well-intentioned bill, and it does bring us more in line with other states.

Drug use is interesting because, as I said, many of us have been exposed to it in one form or another through busy and interesting lives, no doubt. However, there are other drugs that are quite legal, as the member for Newland pointed out. Alcohol, of course, is a legal drug and, for the most part, socially acceptable in our society. Cigarettes are a legal drug. They are less socially acceptable these days, although sentiments have changed over the last 20 or 30 years. There was a time when it was much more socially acceptable to smoke a cigarette almost anywhere, including in this place, I would suggest. Even tea and coffee, which are very much a part of our everyday life, have a mild effect on one's body and mind, and people fail to remember that from time to time I think.

Dare I say it, there are probably much worse drugs than cannabis going around. Amphetamines certainly seem to have hit the streets of our cities and towns—Adelaide, in particular—and my sense is that a lot of the increase in violence that we see late at night on the streets of Adelaide is, in fact, due to in a big part, not just alcohol but also the use of drugs, particularly amphetamines at this time. That will be dealt with I am sure at another time. As for today we are dealing with cannabis.

I support the bill. It is a good bill. It precludes the opportunity for many people to deal. It does not preclude the opportunity for those who, for whatever reason, want to make use of a small amount of cannabis, and there are reasons for that. Occasionally there are medical reasons, occasionally there is recreational use. We do not shy away from that but the fact is that we do not want profiteering, dealing and the impacts to be significant on the broader community.

I know that the speakers from the government side who have contributed so far have hinted that they think the bill is a good one, and I hope that during the time between the sitting weeks the government takes a positive view of this bill because, ultimately, their rhetoric has always been about being tough on law and order, and tough on crime, and I think this bill in particular sits very nicely with that rhetoric, and I think it would be an opportunity for the government to show that it is more than just rhetoric.

**Mr PEDERICK (Hammond) (12:42):** I rise, too, to support the Controlled Substances (Simple Cannabis Offence) Bill and note it was initially introduced in the other place by the Hon. Ann Bressington. It is about introducing a tougher line in the control of cannabis and advocating the reduction and the permissible amount of cannabis to less than 25 grams and increasing the expiation notice to \$300 for possession. That would bring South Australia into line with other states and argues the importance of providing information to those who are convicted.

I think pretty well everyone in society comes into contact at some stage in their lives with people who are using illicit and illegal drugs, and certainly in regard to cannabis and marijuana it seems to be a favoured place in parts of my electorate to grow this drug. It has had some quite deadly effects, quite frankly, on some of the people who have been involved in the growing of illegal drugs, as we have seen recently at Sandalwood. Two people were shot down by someone who was allegedly affected.

Apart from the actual effect of the drug itself, it obviously can have a terminal effect in a real hurry on people who are mixed up in the illegal cultivation. It is interesting talking about illegal cultivation, as people are finding out more and more how easy it is to track down whether someone is growing a drug crop in the scrub on their property. This has happened at Yumali, in my electorate, and down towards Coonalpyn as well, because with the price of water these days, at \$3.45/kilolitre for the industrial rate, you soon notice if there is a substantial amount of water being used.

What I understand generally happens is that these people go out to a property and tap into a water line. Also, from what I understand, these crops take a reasonable amount of water, so it is soon found out that something is going on. Sadly, sometimes, these crops are only just cleaned up and no-one is arrested, but at other times there is excellent work done and the people growing these illegal crops are caught and held to account, as they should be.

I just want to talk about some of the effects of cannabis and what it does to people. Obviously, the effect it can have varies from person to person and it depends on many things, including size, weight and health, whether a person is a user who has used the drug continuously and whether they are taking other drugs simultaneously. Obviously, it also depends on the amount of the drug that is taken at any time.

As my information disclosed to me, there is no safe level of drug use. I think we should get that message out more and more to society, especially to our youth. Certainly, as the father of a couple of young boys, I think that message needs to go out to our children and our youth as they are growing up so that they understand that there can be fatal outcomes from drug use.

Digressing slightly but still talking about drugs, it has come to light only recently the case of a 55-year old gentleman who accidentally drank, I think it was, crystal methamphetamine in a bottle that had been posted to the wrong address. I assume it was just in a sports drink bottle and, inadvertently, his daughter gave it to him, he drank it and realised suddenly that he was in major strife and made the comment, 'I'm dying, I'm dead,' and that is exactly what happened. What a terrible tragedy. That was the end point of what happens in some of these distribution rings of these harder drugs.

Obviously, the use of any drug carries some risk and the immediate effects of cannabis use are loss of inhibition, spontaneous laughter, a quiet and reflective mood, affected perception (including sound, colour and other sensations), confusion, altered thinking and memory, anxiety, mild paranoia, altered vision, reddened or bloodshot eyes, relaxation, sleepiness, reduced coordination and balance, increased heart rate, low blood pressure and increased appetite.

It is noted that low to moderate doses of marijuana or cannabis can produce effects that last two to four hours after smoking and, obviously, the effects of ingested (eaten) cannabis usually start within one hour. In higher doses, it can have much more dramatic effects on the individual. Some of these include confusion, restlessness, excitement, hallucinations, anxiety or panic, detachment from reality, decreased reaction time and paranoia.

Some of the long-term effects of cannabis use can impact certain organs of your body, including the brain, with impaired concentration, memory and learning ability; and the lungs, with sore throat, asthma and bronchitis. Cannabis can also affect hormone production. Research shows some cannabis users have a lowered sex drive, and irregular menstrual cycles and lowered sperm counts have also been reported. There is some concern that cannabis smoking may impair the functioning of the immune system.

In terms of mental health—I think this is a big one—heavy and regular use of cannabis can be linked to a condition known as drug-induced psychosis, or cannabis psychosis. There is certainly some evidence around the place that regular cannabis use increases the likelihood of psychotic symptoms in people who are already vulnerable due to a personal or a family history of mental illness. Cannabis also appears to make psychotic symptoms worse for people with schizophrenia, and using cannabis can lower the chances of recovery from a psychotic episode.

I think the real tragedy is when you witness some of these effects on people you have known. I know that, in this place, I have talked about a bloke I have known pretty well all my life. He had a very good job, a fantastic job; he was a bit of a mover and shaker. Apart from moving off the farm after he left school, he had some training up here in his line of work. He worked interstate and was very good at his job, and he even had high ideals on what he may be able to do internationally.

Sadly—and I have not seen this person for a year or two now—they are just a shell of their former self and I certainly believe that drug use has played a major part in affecting the future of just this one individual who, as I said, I have known pretty well all my life. It is just such a tragedy to see a person who would be only 52 but barely has the energy to get out of bed in the middle of the day. I think there will be far too many cases of that and far too many unseen cases we do not see.

There are also the tragedies that happen on our roads through people who are affected by drugs, as well as the tragic situations that can happen—the schizophrenia that can be induced, the mental health issues that I believe can be induced. It is just a true tragic tale that this illicit drug use goes on and society pays a huge price. It is not just an individual price for the people affected but, as we have heard in other contributions today, society as a whole pays a huge price. As with other members on this side of the chamber, I commend the bill and hope for its speedy passage through the house.

Debate adjourned on motion of Mrs Geraghty.

### **PARLIAMENTARY COMMITTEES (NATURAL DISASTERS COMMITTEE) (NO. 3) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 17 October 2013.)

**Mr GARDNER (Morialta) (12:55):** I am very pleased to have another chance to speak on this bill. I will speak in favour of it, as I did about four months ago, when it originated in this house, before the government, I think foolishly—

**The SPEAKER:** Is the member for Morialta telling me he has spoken already on this bill?

**Mr GARDNER:** No, sir; this is a bill that has been given to this house by the Legislative Council, as approved by the house, as it originated there, and it is remarkably similar, sir, to the one that appeared, originating in this house.

**The SPEAKER:** If it quacks like a duck—

**Mr GARDNER:** The reason it is very good that we have the chance to do this today is because the government now finally has a fifth chance in five years to come to reason, to agree with their own members who have supported the introduction of natural disasters committee when it has been considered. The member the Ashford, a member of caucus, bound by the Labor vote, as she is, knows in her heart of hearts, and in fact on the *Hansard* on a number of occasions has said, what a useful device this would be.

The government argues that issues to do with natural disasters can be dealt with by existing committee structures—the ERD, the NRM, and others. The chairman of one of those very committees, the member the Ashford, courageously, in a way, said words to the effect that a bill such as this was necessary. As courageous as her words may have been within caucus, at the end of the day, when you are standing up for the people of South Australia you should vote the way you believe. While she believes, as she has said, that a natural disasters committee would be of benefit to the people of South Australia, she voted with the Labor Party, as they do at every bill, as a bloc, and therefore it is very unfortunate that this bill has not come through.

The member the Ashford again has an opportunity, due to the fact that this bill is now in the *Notice Paper*, to convince her colleagues of her passion. Caucus will be meeting, I believe, on Tuesday week, the last sitting week of the parliament. Caucus can be convinced, as they could have been on the last bill, to come around and see the value in a natural disasters committee. They

could see the improvements that it could make to areas such as mine in Morialta, where so many constituents are threatened with bushfire every year during the fire danger season. They could see the sort of work that a natural disasters committee could do to inform the parliament, to inform the government, in an instructive way, in a well researched way, of the benefits and improvements that can be made in a non-political way.

That is the benefit of the committee system, that you can take the politics out of it, have a discussion, look at the research, have a non-partisan discussion in a way that finds the best results for the parliament, and then come up with conclusions that can be adopted by the government, knowing that they have the full backing, potentially, of the house. The committee system is valuable, and this would be an addition to the committee system that would be of significant value.

Constituents in Morialta would benefit, the house would benefit, and I know that the member the Ashford would benefit, because she truly wants to support the establishment of this committee. We know this because she has said so. I urge those Labor members who look forward to that caucus meeting, before potentially the last sitting week, to take her words in the *Hansard* to heart, to think about the consideration that she has given it, and to change the Labor Party's position, on what is, I think, the fifth occasion that this bill has had the opportunity to be passed, to reverse their position and support this bill.

I commend the member for Davenport who has been assiduous in supporting the establishment of this committee. He has not taken no for an answer, and when the government has kept saying no he has kept looking for ways to benefit his community in Davenport, which is similarly plagued by concerns of the fire danger season. He continues to stand up to his community, as any good member of parliament should. I urge those opposite to reconsider their position and to support the bill.

Debate adjourned on motion of Mrs Geraghty.

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

#### **GAWLER TO NURIOOTPA RAIL SERVICE**

**The Hon. A. PICCOLO (Light—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers):** Presented a petition signed by 990 residents of South Australia requesting the house to urge the government to reinstate a regular passenger rail service between Gawler and Nuriootpa.

#### **PAPERS**

The following papers were laid on the table:

By the Speaker—

Local Government Annual Reports—  
District Council of Mount Barker Annual Report 2012-13

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

Guardianship Board—Annual Report 2012-13  
Legal Practitioners Education and Admission Council—Annual Report 2012-13  
Legal Practitioners Guarantee Fund—Annual Report 2012-13  
Legal Services Commission of South Australia—Annual Report 2012-13  
Listening and Surveillance Devices Act 1972—Annual Report 2012-13  
Privacy Committee of South Australia—Annual Report 2012-13  
Public Advocate, Office of—Annual Report 2012-13  
Public Trustee—Annual Report 2012-13  
South Australian Classification Council—Annual Report 2012-13  
Terrorism (Preventive Detention) Act 2005—Annual Report 2012-13

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

Adelaide Cemeteries Authority—Annual Report 2012-13  
West Beach Trust—Annual Report 2012-13

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

Mining and Quarrying Occupational Health and Safety Committee—Annual Report 2012-13  
SafeWork SA Advisory Council—Annual Report 2012-13  
Senior Judge of the Industrial Relations Court and President of the Industrial Relations Commission—Annual Report 2012-13

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

Independent Gambling Authority—Annual Report 2012-13  
Codes made under the following Act—  
Casino—  
Advertising Code of Practice Prescription—Notice 2013  
Responsible Gambling Code of Practice Prescription—Notice 2013

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

Australian Health Practitioner Regulation Agency—Annual Report 2012-13

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

Regulations made under the following Act—  
Road Traffic—Miscellaneous—Detection Devices

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

Codes made under the following Act—  
State Lotteries—  
Advertising Code of Practice Prescription—Notice 2013  
Responsible Gambling Code of Practice Prescription—Notice 2013

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

Minister's Response to Committee—Economic and Finance Committee—Workforce and Education Participation Final Report—Recommendation 12

### SUPREME COURT APPOINTMENTS

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (14:03):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.R. RAU:** Mr Speaker, His Excellency the Governor has today appointed District Court Judge Anne Bampton and Crown Solicitor Greg Parker as Judges of the Supreme Court. Mr Parker has also been appointed as the inaugural President of the South Australian Civil and Administrative Tribunal (SACAT).

Judge Bampton was admitted as a legal practitioner in 1985 and was appointed Master of the Court in 2006 following a successful career in private practice. Judge Bampton was appointed Judge of the District Court in February 2010. Her Honour has experience in the conduct of both civil and criminal matters, as well as an extensive understanding of the important interaction between interlocutory processes and the efficient disposition of trials. Highly regarded by her peers and the profession alike, Her Honour will make a welcome addition to the Supreme Court bench.

Greg Parker is the pre-eminent administrative lawyer in South Australia. He has been a legal practitioner since 1990 and has been the Crown Solicitor since February 2010. He was managing solicitor from 1997 to 2004, and has filled various acting and deputy roles since that time. Prior to these executive appointments, Mr Parker was a solicitor then senior solicitor in the Crown Solicitor's Office. In 2013, he was awarded the Public Service Medal for outstanding public service in the provision of legal and industrial advice.

He has extensive management experience through his leadership roles within the Crown Solicitor's Office. He has set a very high bar in the pivotal role of Crown Solicitor. His experience makes him uniquely qualified to lead the SACAT, which I might add will lead to faster and more affordable justice outcomes for many South Australians.

The government will shortly commence a process to fill the position of Crown Solicitor. I am sure that all members of the house will welcome the appointments of Mr Parker and Judge Bampton to the Supreme Court of South Australia, where no doubt they will serve our justice system with great distinction.

**The SPEAKER:** May I also add my congratulations to Judge Bampton and to Greg Parker, with whom I had the pleasure to work for eight years. Before I call on questions, owing to the contretemps this morning many members are on more than one warning. The Leader of the Opposition.

## QUESTION TIME

### EMPLOYMENT FIGURES

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:07):** My question is to the Premier. Can the Premier confirm that according to today's ABS stats, South Australia lost 19,000 full-time jobs in October?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:07):** What I can confirm is that if we listen to the policies of those opposite, we would be losing 13,000 jobs from Holden's, we would be losing 8,700 jobs—

**Mr PISONI:** Point of order, sir.

**The SPEAKER:** Yes, I think the point of order should be that what the Premier is saying is hypothetical. Premier.

**The Hon. J.W. WEATHERILL:** Thank you, Mr Speaker. What I am interested in in this house are the real life choices that are in front of the South Australian community. These are the choices about where we find ourselves now, not some make-believe world that the Leader of the Opposition dwells in but the real life choices that are in front of South Australians at the moment. Those choices are about whether we have a co-investment package to secure the future of Holden's, up to 13,000 jobs at risk here in South Australia now. This is not some imaginary decision-making process, but one that is confronting this state now, and all eyes are on whether this Leader of the Opposition is going to man up and actually decide to stand up for South Australia.

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

**The SPEAKER:** The point of order is?

**Ms CHAPMAN:** Well, clearly not only is it debate but it was a very simple question: can he confirm that these figures are there?

**The SPEAKER:** You're saying the answer wasn't relevant and it was debating the question.

**Ms CHAPMAN:** Standing order 98, yes, sir.

**The SPEAKER:** Thank you very much. Has the Premier finished?

**Mr MARSHALL:** A supplementary, sir.

**The SPEAKER:** A supplementary from the leader.

### EMPLOYMENT FIGURES

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:09):** Given that the Premier couldn't confirm the ABS statistics today, can he inform the house how many full-time jobs were lost last month here in South Australia?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:09):** The number of jobs in the South Australian economy are supported by the investments that we have taken to build infrastructure in this state. Just imagine where we would be at the moment in the South Australian economy if we had not chosen to make the investments that we have made in the infrastructure that is going to build the future of this state.

We were warned that this was a false economy, that we were imposing burdens on future generations. This is the very investment that is sustaining employment in this economy now,

activity in this economy now, jobs in this economy now. They are the real concerns of South Australians—not the Leader of the Opposition, who is an expert in telling us about the bleeding obvious, recounting the bleeding obvious.

**Mr PISONI:** Point of order.

**The SPEAKER:** Point of order, member for Unley.

**Mr PISONI:** The Premier is not responsible for the Leader of the Opposition, so consequently he is entering debate.

**The SPEAKER:** Yes, the member for Unley is quite right. The Premier will desist from referring to the Leader of the Opposition for the balance of the answer.

**Mr MARSHALL:** A supplementary, sir.

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

**Mr MARSHALL:** It certainly is, sir.

### EMPLOYMENT FIGURES

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:10):** Does the Premier have any explanation whatsoever to the house for why we lost one full-time job in South Australia every two minutes in the month of October?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:10):** The issues that are confronting South Australia are well known to all South Australians: they are a transforming economy because of a high Australian dollar, they are the international effects of the wash-over of the global financial crisis. These are the real-life effects of living in an international economy where we are exposed to the international marketplace.

*Members interjecting:*

**The SPEAKER:** The Premier will be seated.

*The Hon. I.F. Evans interjecting:*

**The SPEAKER:** Thank you to the member for Davenport for illustrating why I am calling him to order.

**The Hon. I.F. EVANS:** I was just trying to assist you, sir.

**The SPEAKER:** And you did, thank you. Premier.

**The Hon. J.W. WEATHERILL:** As a bit of a lesson in where we are now and where we were in the past, we had the Leader of the Opposition talking about Sir Thomas Playford during an earlier contribution in this house and saying that was a nirvana when we had high manufacturing employment in this state.

We also had a completely protected economy with high tariffs. We had an industry policy which was characterised by cheap land, cheap water and cheap power, courtesy of the nationalisation of the Electricity Trust of South Australia. Somebody saw fit to bring that to an end. We also had a system of wage fixation which was nationally established and fixed. So, we had high tariff walls and a massively different industrial and political and economical environment, no internationalisation of finance and no competition with cheap imports from overseas, because we had a completely closed economy.

We are in the midst of a massive transformation. This is both an exciting but also an incredibly uncertain time. What we need is clear leadership where we understand the future of this state is about investing in our future, not shrinking into the corner being worried about upsetting our mate Tony in Canberra. It is about asserting South Australia's interest because if we don't stand up for ourselves nobody else will.

*Members interjecting:*

**The SPEAKER:** The member for Taylor, who is also on a warning.

### CLIPSAL 500

**Mrs VLAHOS (Taylor) (14:13):** My question is to the Premier: can the Premier inform the house about the plans for next year's Clipsal 500, as they are very interested in my electorate?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:13):** I acknowledge that the member for Taylor is a very avid motorsport fan, some would say 'a revhead', in the kindest possible way that that term can be used.

Today, we did see the launch of the 2014 Adelaide Clipsal 500. The Clipsal 500 is the largest ticketed domestic motorsport festival in the nation and it has attracted huge attendance figures year after year and provided impressive economic benefits. This year, there has been an almost 9 per cent increase in attendance over 2012. The event generated more than \$36 million for the South Australian economy, and a feature of the success of the event has been the continual revitalisation to keep it fresh.

This year, the renewal will continue with the biggest change to the racing format in its history. For the first time in Adelaide, we will have a V8 twilight race on the Saturday. Saturday's traditional 250-kilometre race is being divided into two 125-kilometre races: one in the middle of the afternoon and one starting at 6.30pm. So, on Saturday fans will get to see two V8 Supercar race starts, two finishes, and the drivers going flat out with valuable championship points awarded for each of the 125-kilometre races. We will then have the race decider on Sunday, with the longer 250-kilometre format.

Earlier today, I had the great pleasure of attending the launch of the event, and I met with James Courtney, one of the drivers. James is, of course, from the Holden Racing Team and he, like many South Australians and Australians, is concerned about the future of car manufacturing in this nation, and he has added his voice of support for Holden. James represents hundreds of thousands of Australians who love Holden, and he wants them to stay here in Australia.

One of the reasons we are pressing on with the More Than Cars campaign is so that these Australians can have their voice. Make no mistake, Mr Speaker, we know that this federal government does respond to campaigning and pressure. We have seen that with the successful education reform campaigns, when Tony Abbott became Julia Gillard for a brief moment. So, we do know that, with a quality campaign, we can change attitudes in the federal government, and we intend to change attitudes in this federal government. That is why we are investing in keeping Holden here, that is why we are leading a community campaign, and it would just assist us if those opposite could find their voice.

### EMPLOYMENT FIGURES

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:16):** My question is to the Premier. How many new jobs are there in South Australia since the Labor government's election promise to create 100,000 new jobs, almost four years ago?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:16):** The South Australian government, through its policies and through the endeavours of South Australians, has been creating thousands and thousands of new jobs in the South Australian economy. The truth is that at the same time there are also thousands and thousands of jobs that are leaving the state because of the changes in our international circumstances.

This is both an exciting but also very unnerving time for many citizens of South Australia. We see household names getting into difficulties, although pleasingly we see that names like Spring Gully and Trims are looking to have a new future. So, there are stories of change. Sadly, we see names like Darrell Lea chocolates going out of business. These things, which are iconic South Australian names, unnerve South Australians when they see this going on in the South Australian economy.

However, we are also seeing new industries, industries that did not exist before we took office, spring to life. We have seen the wind industry and the renewable energy industry come to life, jobs that were not capable of being imagined prior to 2002. We have seen a defence sector where we now win in the order of 25 per cent of the nation's in-country defence spend, which situates us as a leader in the nation in relation to defence procurement.

We are seeing a segment of the manufacturing sector actually growing. The food manufacturing sector, a component of manufacturing, is one of the great highlights of the manufacturing sector, and, of course, we are seeing the exciting opportunities that are now presenting themselves in the medical devices and medical technology sector, as we seek to leverage off some of our world-class research and our medical practitioners.

There is growth in the South Australian economy, but there is change. The challenge is to grow faster than the world around us is changing. This is a time not to stand still. We cannot afford this period of delay while we wait for the federal government to make up its mind about one of the single most important sectors in the South Australian economy. Join with us and call on the federal government to take its decision.

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

**Mr MARSHALL:** It certainly is, sir.

#### EMPLOYMENT FIGURES

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:18):** Could the Premier provide us with a little more clarity around that answer, specifically about the promise that the Labor Party made at the 2010 election to create 100,000 new jobs over a six-year period? Is the Premier now saying that that promise was to create 100,000 new jobs at the gross level, not at the net level?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:19):** No, I'm not saying that.

#### EMPLOYMENT FIGURES

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:19):** Well, supplementary: does the Premier stand by the Labor Party's 2010 election promise to create 100,000 new jobs in the remaining two years of that promise?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:19):** We remain committed to the commitment we made.

**The SPEAKER:** Question 3.

#### EMPLOYMENT FIGURES

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:19):** Why has South Australia's unemployment increased by 26 per cent since you became Premier of South Australia?

**The SPEAKER:** No, I never became the Premier of South Australia.

**Mr MARSHALL:** Since the Premier took office.

**The SPEAKER:** Premier.

*Members interjecting:*

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:20):** Mr Speaker, those opposite have the luxury of pontificating about the circumstances as they might like them to be. I have the responsibility of dealing with the circumstances as I find them as the leader of this state. As leader of this state, I have the responsibility to take every step consistent with growing this economy to ensure that we have meaningful well-paid jobs for our citizens. We have taken every single step consistent with that since the moment I took office in this job. We have brought forward every piece of government expenditure which we could responsibly do to ensure that we maintain the momentum for growth in this economy.

We have, on any view of it, created a sense of excitement in the CBD which is sending a message not only across this nation but around the world that in this state something exciting is happening here. This is the message that is being created by the changes that we have brought to bear on our capital city, and our challenge is to ensure that that message is sent more broadly, because we know that you cannot have a successful region if you have a dying capital city.

That is what we found when we came into office—a listless, dying state that had no ideas and no confidence and no future. I know those opposite are so desperate to talk down this state but there is a new spirit alive in South Australia, and the only thing that could snuff that out is if there was the horrible choice of turning to those opposite to run this state.

**The SPEAKER:** A supplementary?

#### EMPLOYMENT FIGURES

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:22):** Yes, sir. Given the state budget forecast of 1 per cent jobs growth this financial year, why has there been a 1½ per cent jobs decline in the year to date—21,000 fewer jobs than were in your own budget in May this year?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:22):** We have, through the budget process, applied public finances in a way which generate as much activity in the South Australian economy as is consistent with maintaining a prudent fiscal stance. We have indeed put at jeopardy our AAA credit rating when we made the choice—

*Mr Marshall interjecting:*

**The SPEAKER:** The leader is warned for the second and final time.

**The Hon. J.W. WEATHERILL:** We made the choice to seek to maintain investments in our economy so that activity could be generated and jobs maintained at a time when those opposite were telling us we should not have made that decision. So the situation we face at the moment is a challenging one, I freely admit that, but it would be so much worse if we'd listened to those opposite. Every single time you look at a project in the city, whether it be the Royal Adelaide Hospital, whether it be the Adelaide Oval, whether it be the Convention Centre, and all of the spinoff investments that are occurring around this state, remind yourself that none of these projects would be there if we had listened to the Liberal Party of South Australia.

**Mr MARSHALL:** Supplementary, sir.

**The SPEAKER:** A further supplementary.

#### EMPLOYMENT FIGURES

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:23):** Given that the Premier has just outlined to the house that we sacrificed our AAA rating to ensure that we maintained jobs here in South Australia, can he outline to the house why the trend unemployment rate has increased every single month for the past 12 months?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:24):** The simple truth is the trajectory for employment and unemployment in South Australia would have been so much worse if we had not taken the decisions that we have taken. This economy would be cratered if we had listened to those opposite. We anticipated the slowdown in the economy because of the effects associated with the global financial crisis.

We made a decision to maintain our investments in this economy so that we could continue to grow the jobs, because every time we sit down to frame a budget or make a government decision we are thinking about ordinary men and women sitting around at their kitchen tables worrying about whether they will have a job, looking at their bills and wondering whether they are going to be able to continue to pay them. This is the thing that sits in our minds. These are our concerns. We do not sit there being cheered on by the business community about cutting and slashing and handing out further tax handouts to mates in some bizarre idea that this may trickle down and benefit the rest of the South Australian community.

I can tell you a little about trickle-down economics. It is just a cruel hoax on working people in this state, this idea that somehow you take your hands off the wheel, hand over tax cuts and this will lead to investment. I will tell you what happens if you hand over the broad-based tax cuts like those opposite are proposing. They get hoovered up and they do not trickle down anywhere. We are maintaining our investments in the South Australian economy so that we can sustain growth and activity in this economy at a time when it is needed.

*Members interjecting:*

**The SPEAKER:** Are you quite finished? I warn for the first time the deputy leader, the member for Davenport and the member for Unley, and I call the member for Morialta to order. I also warn for the first time the member for Heysen.

#### YOUTH UNEMPLOYMENT

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:26):** My question is to the Premier. Why did the South Australian youth unemployment rate rise to 34 per cent in October?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:26):** We continue to have this false debate over the importance of that statistic. We know that the overwhelming majority of young South Australians are either at school or earning—a very small proportion which is, generally speaking, very consistent with the overall unemployment rate, represented by the number of young people actually looking for work and not the total number of young people as a proportion of the state. This is a statistic which has become less and less meaningful as the retention rate in schools has increased dramatically.

Remember, Mr Speaker, one of the reasons we are looking at relatively high youth unemployment rates is that the pool of people we are talking about who are not at school has shrunk dramatically. We are talking about, in absolute terms, very small numbers of South Australian young people who are unemployed in that age group.

In fact, the school retention rate, when the Liberal Party was last in office, fell shamefully to around 67 per cent. It now sits at 89 per cent of South Australian school students to year 12. That is a 20 per cent turnaround. It is an extraordinary increase in a relatively short period of time. It is one of the great achievements of this Labor government. Of course, it dramatically reduces the pool of young people who are actually looking for work, so the absolute number of young people who are unemployed is a relatively small number.

#### YOUTH UNEMPLOYMENT

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:28):** Supplementary, sir. Is the Premier saying that the 4,000 young people in South Australia who are looking for a job and find themselves unemployed is a meaningless statistic; and is he saying that the fact that South Australia has the highest youth unemployment rate in the country is acceptable?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:28):** Of course, unemployment for any individual is a personal tragedy and our mission is to ensure that every young person has the opportunity to earn or learn, and that is an objective we have committed ourselves to.

We would be assisted in that regard if, in the area where youth unemployment is a particular issue, the northern suburbs, we had a willing partner to put pressure on the federal government to ensure the co-investment in Holden's. The single greatest threat to youth unemployment in this state is the future of Holden's. If they could just for one moment stop playing politics and join with us and pressure Canberra to get a result for this state, we would all be much better off.

**The SPEAKER:** Second supplementary on the fourth question.

#### YOUTH UNEMPLOYMENT

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:29):** My supplementary question is of course to the Premier. Why were there 1,000 more unemployed youths in northern Adelaide during the month of October, an increase of 77 per cent on the September figure?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:30):** The northern suburbs of South Australia have been most affected by the structural adjustment that I described earlier. We are, on any view of it, because of the way in which our economy is structured, a First World economy. We pay decent wages; we have good safety standards; we have high environmental standards. In relative terms, that makes us a jurisdiction that cannot claim to be a low-cost jurisdiction, and we would not be interested in competing with low-cost jurisdictions for those cheap jobs that are labour intensive.

We must go up the economic food chain if we are going to have a future for ourselves and our families. I know those opposite are fond of the Playford era, but somehow going back there and trying to compete on the basis of cheap land, cheap water, cheap energy and cheap labour costs is not available to us. If that is your only solution for the future of South Australia, it is a solution that is a dead end—an absolute dead end.

**Mr Whetstone:** What's your solution?

**The Hon. J.W. WEATHERILL:** My solution is to make sure that we go up the value chain in areas like yours—the Riverland—where we are investing in making sure that we add value to food and fibre, where we are making sure that we add value to our advanced technological offerings here in South Australia, where we have a future manufacturing sector where we leverage off a car industry and all the associated work that flows from that sector. These are the opportunities in front of us. The greatest threat to youth unemployment in South Australia is the threat of the closure of Holden's.

#### EMPLOYMENT FIGURES

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:31):** My question is to the Minister for Employment, Higher Education and Skills. Why did the minister say last Thursday that jobs 'remain at near record high levels' given that South Australia has lost 33,000 full-time jobs since the state budget?

**The Hon. G. PORTOLESI (Hartley—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy) (14:31):** There is a very important figure that the opposition is very keen on overlooking, and that figure is the 113,000 jobs that we created since we came to government.

**The SPEAKER:** Supplementary?

#### EMPLOYMENT FIGURES

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:32):** Supplementary, sir. Why has South Australia lost more full-time jobs in the last five months than in any other five-month period since jobs data collection began 35 years ago?

**The Hon. G. PORTOLESI (Hartley—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy) (14:32):** Thank you, sir, and I am very pleased for the opportunity to address a supplementary, because I can give the second half of that response to the earlier question. We created 113,000 jobs—

*Members interjecting:*

**The SPEAKER:** The member for Morialta is warned for the first time and the member for Kavel is returning to his old ways. Minister.

**The Hon. G. PORTOLESI:** We created 113,000 jobs, and nearly 60,000 of them are full-time. How many did the opposition create when they were in charge? Not even 6,000—5,800 full-time jobs. Are they honestly suggesting that we do not know what we are doing when it comes to jobs creation?

*Members interjecting:*

**The SPEAKER:** Before the supplementary, would the leader be seated? The member for Heysen is warned for the second and final time. A second supplementary on question 5. The leader.

#### EMPLOYMENT FIGURES

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:33):** Does the minister have any explanation for why the trend unemployment rate has increased for the last 12 consecutive months here in South Australia?

**The Hon. G. PORTOLESI (Hartley—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy) (14:34):** I believe the Premier has addressed this question over and over again. However, the big difference between us and them is that we have a plan to build a stronger South Australia. It was only in September that we put out a jobs and skills strategy. It was only this government that improved our school retention rate from about 68 or 67 per cent to nearly 90 per cent.

It has been this government that has invested overwhelmingly in Skills for All. As the Premier acknowledged, there are a number of global factors impacting here in South Australia, as they are impacting in every other state and around the world; that is obvious. However, we have a plan for the future: 113,000 jobs versus the 5,800 full-time jobs that they created.

*Members interjecting:*

**The SPEAKER:** I call the members for Kavel and Adelaide to order, and I call upon the leader for another question.

### APPRENTICES AND TRAINEES

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:35):** My question is to the Minister for Employment, Higher Education and Skills. Can the minister confirm that there is currently a backlog of over 2,500 apprenticeships awaiting registration with Traineeship and Apprenticeship Services?

**The Hon. G. PORTOLESI (Hartley—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy) (14:37):** I'm very happy to bring back an accurate response for the leader; I don't have that information. What I can tell you—

**Mr Pisoni:** Why don't you tell us how wonderful Skills for All is?

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

**The Hon. G. PORTOLESI:** What I can tell you is that in relation to training, as there are so many other success stories in this government, this is what the independent National Centre for Vocational Education Research says about South Australia: in the number of course enrolments, six times the national growth rate; the number of—

**Mr MARSHALL:** Point of order: 98: relevance. I'm only interested in the backlog.

**The SPEAKER:** Well, the question was about apprenticeships. I'll hear anything on apprenticeships.

**Mr PISONI:** Point of order, sir, the question was about apprenticeship registration.

**The SPEAKER:** Yes; I've got ears. The minister.

**The Hon. G. PORTOLESI:** The number of vocational education training students is five times the national average. The number of qualifications completed has shown a 41 per cent increase, more than double the national growth rate—the most cost-effective system in the country—and for trade occupation completions we have the highest in the nation for those that commenced training in 2008. So I am happy to bring back a response to the very specific question asked by the leader. However, I am very, very proud of the training offering and education offering that we have in South Australia.

### MANUFACTURING WORKS

**Ms BETTISON (Ramsay) (14:38):** My question is to the Minister for Manufacturing, Innovation and Trade. Can the minister inform the house about the progress of the state government's Manufacturing Works strategy?

**The Hon. T.R. KENYON (Newland—Minister for Manufacturing, Innovation and Trade, Minister for Small Business) (14:38):** I thank the member the Ramsay for her question. Manufacturing is a key industry in South Australia, and manufacturing is the state's largest industry, comprising about 10 per cent of the economy and employing almost 80,000 South Australians. For manufacturing to continue as a major employer and industry in South Australia, like elsewhere in Australia it will require more of our businesses to produce goods that compete on value and innovation and not on cost.

The state government's \$11.1 million Manufacturing Works strategy is focused with businesses in South Australia to drive the development of a globally competitive, innovative and value-added manufacturing industry. Today, to mark the first anniversary of the Manufacturing Works strategy, I attended an industry breakfast and addressed manufacturing leaders from industry, business and research on the progress of the strategy. I understand that about 200 leaders attended, many of whom have participated in a range of initiatives from the Manufacturing Works strategy.

I am pleased to advise that all the year 1 milestones for the first year of Manufacturing Works were met. During the past year we have seen the development of a range of programs including the establishment of the Advanced Manufacturing Council, which has provided key advice to the state government to drive the Manufacturing Works strategy.

We have seen the rollout of the Innovation Voucher Program that is successfully linking manufacturers with researchers and the university sector, and recently we announced the Competitive Foods Initiative to assist the development of food clusters and to help food manufacturers to innovate. We know that for manufacturers to thrive in South Australia they need innovative solutions to their operations and to develop greater high-tech products and services.

I can advise the house of the following milestones that have been established during the first year of the Manufacturing Works strategy. These include: the Innovation Voucher Program has been launched; the Small Business Innovation Research Pilot has been designed, put out and the first round of people have been selected; the Mining Industry Participation Office has been established; the Competitive Foods Initiative has been launched; the SME innovation capacity package was launched; the Manufacturing Leaders Network was established; the skills development and workforce training initiatives have been launched; the defence industry program commenced; the automotive transformation program commenced; the Cellulose Fibre Chain initiative was implemented; the Industry Participation Policy was implemented; the Advanced Manufacturing Council has been established; and the government assistance roadmap has been initiated.

We have a range of innovative advanced manufacturers located in South Australia that are leaders in their fields—companies like Codan, Signostics and SAGE. We know that most of our manufacturing leaders are quiet achievers. They generally don't seek the limelight and accolades; they are just getting on with the job, innovating, researching and developing new advanced manufacturing, high-tech and value-added products and services. As a state, we thank them for their efforts.

The state government recognises that there are a number of innovative advanced manufacturers in South Australia that are leaders in their chosen field of industry. The Manufacturing Works strategy is assisting other manufacturers in South Australia aspire to these goals. Since the launch of the Manufacturing Works strategy late last year, much has been achieved to power and steer the growth of high-value manufacturing, and we are now building on a solid foundation established over the past 12 months and expanding programs to increase their impact.

**Mr HAMILTON-SMITH:** Supplementary, sir.

**The SPEAKER:** Supplementary, member for Waite.

#### **MANUFACTURING WORKS**

**Mr HAMILTON-SMITH (Waite) (14:41):** In light of the minister's answer, could I ask him how many manufacturing jobs have been lost since the Manufacturing Works program was introduced by the government 12 months ago?

**The Hon. T.R. KENYON (Newland—Minister for Manufacturing, Innovation and Trade, Minister for Small Business) (14:41):** What I do know is that, if you accepted the proposition of the Leader of the Opposition that government should get out of the way, nothing would have happened. Nothing would have happened and the situation would have been a lot worse.

**Mr PISONI:** Point of order, sir.

**The SPEAKER:** The member for Unley.

**Mr PISONI:** The minister is not responsible for the Leader of the Opposition and, consequently, is entering debate.

**The SPEAKER:** That's correct. The supplementary, however, was only tenuously cognate with the answer. The leader.

#### **APPRENTICES AND TRAINEES**

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:42):** My question is to the Minister for Employment, Higher Education and Skills. Can the minister confirm that some employers have been waiting for more than six months for apprenticeship registration?

**The Hon. G. PORTOLESI (Hartley—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy) (14:42):** I am happy to suss out the figures that the Leader of the Opposition has and have a look, but I am very pleased that he has raised this question because, as I mentioned earlier, we have a very, very strong story to tell.

In 2002, there were 29,600 apprentices and trainees in training when we came to office. We now have 30 per cent more apprentices and trainees in training as at 2012, with more than 38,000 now learning and earning towards their qualification. The number of apprenticeship and traineeship commencements has increased 26.4 per cent from when those opposite were last in government, from around 20,000 to over 24,000.

I can't verify at this point in time the figures that the leader is referring to; I am happy to go back and do that. However, what is undeniable is the massive take-up, the massive appetite that South Australians have expressed for training, and that is fantastic.

**The SPEAKER:** Supplementary?

**Mr MARSHALL:** Yes, sir.

#### APPRENTICES AND TRAINEES

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:43):** Can the minister confirm that the apprenticeship registration system was designed for a 10-day application turnaround?

**The Hon. G. PORTOLESI (Hartley—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy) (14:44):** The Leader of the Opposition seeks to ignore the fact that we've had a 30 per cent increase—

**Mr Gardner:** Do you know the answers to any of these questions?

**The SPEAKER:** The member for Morialta is warned for the second and final time.

**The Hon. G. PORTOLESI:** —and a 43 per cent increase in training, three years ahead of schedule. I am happy to check the register.

#### APPRENTICES AND TRAINEES

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:44):** Supplementary, sir: can the minister advise how many apprenticeships have been cancelled or deferred due to the backlog?

**The Hon. G. PORTOLESI (Hartley—Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy) (14:44):** Clearly, that is not information that I would have at hand, but I am happy to bring back a reply.

#### CARBON TAX

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:44):** My question is to the Premier. Will the Premier stand up for South Australia and call on the federal Labor Party that you support the abolition of the carbon tax?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:45):** I understand it is federal Labor Party policy to support the abolition of the carbon tax; indeed, that was taken to the last federal election.

**The SPEAKER:** Supplementary?

#### CARBON TAX

**Mr MARSHALL (Norwood—Leader of the Opposition) (14:45):** Sir, just a question of clarity: is the Premier saying that he won't stand up for South Australia and back the abolition of the carbon tax, or would he like to actually keep some sort of carbon price here in South Australia?

**The SPEAKER:** Well, I thought the Premier already answered that, frankly. Does the Premier have anything to add?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:45):** No.

**The SPEAKER:** Member for Davenport.

**PAYROLL TAX**

**The Hon. I.F. EVANS (Davenport) (14:45):** My question, Mr Speaker, is to the Minister for Small Business. Does the minister agree with the government's own Small Business Development Council's recommendation that the payroll tax threshold should be increased to \$800,000 from its current level of \$600,000 as the next step in reducing the payroll tax burden?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:46):** Those are all matters for consideration in the context of any budget, and they certainly won't be matters that will be speculated upon by this government ahead of any decisions we might take. But can I say this: the current budget has baked into it two very significant payroll tax reductions over this year and next year, halving payroll tax for small businesses—not the confetti that has been thrown around by those opposite—to all businesses in South Australia.

This is a targeted scheme in partnership with targeted programs to get small businesses to invest, those small businesses that have a much higher capacity or indeed propensity to invest. The idea that somehow you would throw a generalised payroll tax relief across the whole of the sector, or indeed—

**Mr PISONI:** Point of order, sir: this is debate, I believe.

**The SPEAKER:** Debate? It is a question about payroll tax. The member for Unley was interjecting after being warned a second time; he has now made an entirely bogus and obstructive point of order. If I see his lips move again out of order, I will name him. The Premier.

**The Hon. J.W. WEATHERILL:** Thank you, Mr Speaker. What we have in South Australia is, in terms of tax effort, the third lowest payroll tax regime in the nation. So, to pick on that as a taxation area for further reduction does seem to be odd, given our relative strong performance across the nation. But, just going to that, we have already made very targeted important relief, halving payroll tax for small businesses, petering out at \$1.2 million in terms of payroll tax.

That is a sensible payroll tax measure, in partnership with banks, together with programs targeted at investment to ensure that there is growth. This seems to be at the heart of that suggestion, and indeed at the heart of the suggestions that those opposite have published in their pamphlet, or brochure, as you would have it—

**The Hon. J.J. Snelling:** Flyer.

**The Hon. J.W. WEATHERILL:** —flyer—is to take essentially a bolus of money and hand it over to business in the hope that they would invest; whereas what we know is that when you hand over money in an untargeted fashion like that the more likely thing is that people will put it in their pockets. That's what would happen with this money. It would not flow down to ordinary South Australians in terms of jobs, or activity, or benefits; it would end up in the pockets of their business mates, and this is the difference between us and them.

This is the difference about how we construct public policy, not some ideological rant that we are going to get out of the way, or we are going to hand over a truckload of cash and hope that somehow the economy improves. It is about the intelligent design of policy—something which is utterly lost on the laziest opposition we have seen in the history of this parliament.

**The SPEAKER:** The last remarks were entirely out of order, and I call the Premier to order. The member for Davenport.

**The Hon. I.F. EVANS:** Thank you, Mr Speaker. I hope Rik Morris can at least stop writing Mike Rann lines for the Premier, sir.

*Members interjecting:*

**The Hon. I.F. EVANS:** If you go back to the *Hansard*, sir, that is exactly the same line Kevin Foley used to use, but I will keep on with my question, sir.

**The SPEAKER:** Well, if the member for Davenport doesn't want to ask a question, he may be seated.

**The Hon. I.F. EVANS:** I shall be or may be?

**The SPEAKER:** No, I will call the member for Ashford.

**ADELAIDE OVAL**

**The Hon. S.W. KEY (Ashford) (14:49):** Good choice, Mr Speaker. My question is—

*The Hon. I.F. Evans interjecting:*

**The SPEAKER:** The member for Davenport is warned for the second and the final time. Member for Ashford.

**The Hon. S.W. KEY:** My question is directed to the Minister for Tourism and Minister for Recreation and Sport. Minister, this would probably be an unusual question from me to you, but I would like you to update the house on cricket at Adelaide Oval.

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (14:50):** I thank the member for Ashford for that question. If you wanted a score update, South Australia are 0/40, chasing the 434 Western Australia made. Obviously, there is a fantastic batting deck down there at Adelaide Oval, and Damian Hough, the curator, has done a tremendous job. I was talking to him yesterday morning. He says that he thinks what he has prepared is the traditional Adelaide oval pitch, and very much like the test pitch from last year. It was fantastic to be down there yesterday with the Premier as the Premier tossed the coin before the game.

I know the opposition has been hoping that something will go wrong down at Adelaide Oval. The gates opened yesterday and the only thing that went wrong was that, when the Premier tossed the coin, Western Australia won the toss and elected to bat. But that was a game of chance, and nothing has been left to chance by this government with the Adelaide Oval right the way along. I want to congratulate and pay tribute to the member for Elder for all the fine work that he has done over many years to make this happen. It has not been easy to bring cricket and football together and to get them down at the Adelaide Oval. I also commend the current Minister for Transport and Infrastructure on the fine work that has been done there, as well.

Adelaide Oval is a game changer for this city, and it is not just people in South Australia saying that, it is people from around Australia, in cricket circles and the AFL. Lonely Planet named Adelaide Oval as one of the reasons it picked Adelaide to be one of the top 10 cities in the world to visit next year. The economic boost that we are going to get from this half a billion dollar investment of taxpayers' money is worth tens of millions of dollars a year. It is a great thing for South Australia and it would be great to have the opposition on board instead of crossing their fingers, hoping that something will go wrong. Get behind it and recognise it as—

*Members interjecting:*

**The SPEAKER:** Minister, that will be quite enough. Will you be seated? I do think in respect of an infrastructure project like Adelaide Oval, to say that the opposition hopes that something will go wrong is imputing improper motives. Accordingly, I withdraw leave for the answer and call the member for Davenport.

**PAYROLL TAX**

**The Hon. I.F. EVANS (Davenport) (14:52):** My question again is to the Minister for Small Business. Does the minister agree with the Premier's comment that raising the payroll tax threshold from \$600,000 to \$800,000 is simply throwing money at business?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:52):** I speak for the government, and can I say this: the policy that you have—

*Members interjecting:*

**The SPEAKER:** There are any number of opposition members on two warnings. The member for Unley has taken the warnings. I suggest the others do, as well. The Premier will be heard in silence.

**The Hon. J.W. WEATHERILL:** I speak for the government in relation to payroll tax matters, and our position remains clear. The payroll tax cut that we have put into the budget is an intelligently crafted tax relief to those small businesses that deserve our support, not this generalised tax cut that flows through to every business, big or small, without any obligation or targeting of any reciprocal effort on their part. It is, in this environment, fiscally irresponsible. It is driven by ideology and not by any intelligent design of public policy, and it is the sort of thinking that is replete through the brochure, the flyer, the document, that piece of paper that almost wafted to

the ground the other day when I dropped it. This is in the insipid public policy-making that we have come to expect from those opposite and is reflected in what they are offering the people of South Australia.

#### **PUBLIC TRANSPORT ADVERTISING**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:54):** My question is to the Minister for Transport Services. What is the approved advertising budget for public transport advertising that was flagged in the government's public transport policy?

**The Hon. C.C. FOX (Bright—Minister for Transport Services, Minister Assisting the Minister for the Arts) (14:54):** I don't have that answer with me and I will bring it back to the house.

**Ms CHAPMAN:** Supplementary, sir, to the Premier.

**The SPEAKER:** To the Premier, a supplementary, yes.

#### **PUBLIC TRANSPORT ADVERTISING**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:54):** What is the advertising budget across government for the first three months of 2014, and what was the advertising budget for 2013?

**The SPEAKER:** It is not a supplementary but we will have it as another question. Premier.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:55):** Thank you Mr Speaker, I will take the question on notice and bring back an answer.

**The SPEAKER:** I am pleased she is here so that I can call the member for Heysen.

#### **PETROL PRICE BOARDS**

**Mrs REDMOND (Heysen) (14:55):** Thank you, Mr Speaker. My question is for the Attorney-General: can the Attorney-General advise the house by what authority—or under what authority—he claims the right to override the law of this state and deprive consumers of a protection to which they are entitled? With your leave, sir, and that of the house I will explain, and I apologise that it is not quite as brief as I would like, but it is necessary.

On 28 April 2013, the Attorney-General announced that the government was going to make it unlawful to put potentially misleading petrol price information on fuel boards at service stations, ensuring that consumers could be charged no more than the price advertised. In accordance with the Attorney's announcement, the government proposed to amend the regulations under the Fair Trading Act by making the Fair Trading Fuel Industry Code Regulations 2013, and it proceeded to do so. When these regulations were considered by the Legislative Review Committee in mid-October, it was noted that a certificate had been issued under section 10AA (known as an early commencement certificate) whereby the new regulations had already commenced operation on 1 October 2013—

**The Hon. J.J. SNELLING:** Point of order—

**The SPEAKER:** Can we hear the question and then I will take the point of order.

**The Hon. J.J. SNELLING:** Sir, this is a grievance rather than a question.

**Mrs REDMOND:** I am explaining the reason for the question.

*Members interjecting:*

**The SPEAKER:** The member for Heysen has got 15 more seconds.

**Mrs REDMOND:** This early commencement certificate was issued according to the report to prevent unnecessary continuation of the practices prohibited by these regulations. Upon inquiring at my local service station and later confirmed by phone with the lawyer for Woolworths corporate affairs in Sydney, I was advised that they and all the other service stations had received a letter from the Attorney-General—

**The Hon. J.J. SNELLING:** Sir, leave is withdrawn. We withdraw leave.

**The SPEAKER:** Leave for the explanation is withdrawn?

**The Hon. J.J. SNELLING:** Yes, my point of order is that the question was, and contained, a very large amount of argument. In fact, it was entirely argument.

**The SPEAKER:** It was wall-to-wall argument, yes. The Attorney-General.

**Mrs Redmond:** That is outrageous.

*Members interjecting:*

**Mrs Redmond:** That's display if you can read it from here.

**The SPEAKER:** The Deputy Premier is called to order for display, and if he is going to display could he at least share it with me!

*Members interjecting:*

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (14:57):** I can explain something about this issue. There is a national consumer forum—

**Mrs Redmond:** There's a regulation in this state.

*Members interjecting:*

**The SPEAKER:** Will the member for Heysen be quiet.

**Mr Venning:** She's being provoked, Mr Speaker.

**The Hon. J.R. RAU:** She is being provoked by being in the room—the best way to solve that is to leave! Well, the rest of us can. Anyway—

**The SPEAKER:** She's being provoked by your being in office.

**The Hon. J.R. RAU:** Indeed!

**Mrs Redmond:** An accurate statement, Mr Speaker.

**The Hon. J.R. RAU:** She is on two, isn't she Mr Speaker?

**The SPEAKER:** Yes, and you're on one.

**The Hon. J.R. RAU:** Thank you. 'Who's on first, What's on second!' Anyway—

*Members interjecting:*

**The Hon. J.R. RAU:** If they keep interjecting, I'm not going to be able to get the answer out, and I thought they wanted to hear something about this.

**The SPEAKER:** Three minutes and seven seconds.

**The Hon. J.R. RAU:** Thank you, okey-dokey, so here is this story. There is a thing called the national consumer ministers forum, and for some time this august body has been working through an agenda which has contained for a very long time an item about price boards. Some time ago, New South Wales formed the opinion, rightly or wrongly, that if they waited for the national body to form consensus they would all perhaps be getting elderly, and they moved on and did something by themselves. Earlier this year we resolved that we intended to do something in South Australia about this as well.

Just so that members who may not be as familiar with this as others are understand what we are talking about, there has been a practice in South Australia where some petrol outlets advertise the discounted price on their large display signs. Of course, that discounted price is not the price that appears on the bowser for the person who drives in; that discounted price is available for the person who comes in and then produces a voucher of some description, the voucher then entitling them to a discount off the price on the bowser. Putting it another way, the bowser price and the advertised price are not the same unless you are a voucher holder.

In my opinion that is misleading, and it means that people who may not be going to a regular service station might be driving down the road and see a sign advertising what appears to be a very attractive price for fuel. They think, 'Right, I'll get some fuel in there,' and they fill up. After they have filled up and have gone to pay they discover—or perhaps do not even discover—that they are being charged an extra 8¢ per litre above what was advertised. I regard that as being unsatisfactory. It is fine to advertise whatever the bowser price is, and they can say somewhere

else that if you have a voucher of a certain sort you can get 8¢ a litre off. That is a different proposition to advertising a misleading discount price as if it were the bowser price.

So this government took steps to deal with this matter and, because there was a consumer ministers meeting (which I believe occurred last Friday in Brisbane) where this matter was going to be addressed yet again, it was thought that, just in case there came to be a national breakthrough on the topic, we would not impose regulation on everyone here which might then be overridden or changed again by a national consensus—which has so far eluded us all for decades.

True to form, that consensus continues to elude us. In those circumstances I am not going to sit back any longer and wait for this national consensus, which appears to have no prospect of emerging organically. We are doing something about it, and what we are doing—

**The SPEAKER:** The minister's time has expired, but the member for Heysen is going to assist him by asking a supplementary.

#### PETROL PRICE BOARDS

**Mrs REDMOND (Heysen) (15:02):** I am indeed, sir. Again, to the Attorney-General: given the Attorney-General's response, is he saying that, rather than apply the usual mechanism of introducing regulations which, although passed, will not commence until a date to be proclaimed, he has some other power which allows him to override the operation of a regulation that came into force on 1 October? If so, what is that power?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (15:02):** Mr Speaker, in another period of your service here you had the privilege of being both consumer affairs minister and attorney-general, and I am sure that at times you yourself were surprised by your powers. Reflecting back on those halcyon days, Mr Speaker, you must have felt a bit like Luke Skywalker felt when he first discovered that he was possessed of the Force. So it is that occasionally—

*Members interjecting:*

**The Hon. J.R. RAU:** I am addressing the Chair, Mr Speaker. So it is that occasionally one discovers that one is able to do things that one was not entirely aware of being capable of doing in the past. Sometimes this awareness comes through the assistance of public servants who have made it their business to study one's special powers, and to assist one in the rolling out of them at appropriate moments, and thus it was for me.

#### NOARLUNGA RAILWAY LINE

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:04):** My question is to the Minister for Transport Services. Why has the government failed to meet its deadline on the reopening of the Noarlunga train line?

**The Hon. C.C. FOX (Bright—Minister for Transport Services, Minister Assisting the Minister for the Arts) (15:05):** The question of the member for Bragg is based on a fallacy. I believe yesterday in this parliament when asked—

*Mrs Redmond interjecting:*

**The SPEAKER:** The member for Heysen will depart the house for the next hour.

**Mrs Redmond:** It's alright for the first officer of the law in this state to override the law.

*The honourable member for Heysen having withdrawn from the chamber:*

**The SPEAKER:** I was rather hoping she would do a Roger Goldsworthy. The Minister for Transport Services.

**The Hon. C.C. FOX:** —and I would refer her, as I was just about to say, to the answer given by the member for West Torrens to that same question, which you asked him yesterday, which was, I believe, a matter of 45 to 60 days since his pronouncement of those dates. I refer you to the *Hansard*.

**The SPEAKER:** Deputy leader.

**NOARLUNGA RAILWAY LINE**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:06):** Thank you, sir. I will ask a supplementary. I think, notwithstanding the mirth of interruptions from the other side, I thought I heard the minister say that the position was 45 to 60 days, as the member for Torrens had indicated to the house. Given that today is the 45<sup>th</sup> day since that was announced, will the minister confirm and guarantee that the Noarlunga service will open within the next 14 days?

**The Hon. C.C. FOX (Bright—Minister for Transport Services, Minister Assisting the Minister for the Arts) (15:06):** Thank you, I thought that there were 15 days in between 45 and 60, not 14, but I may be wrong. Once again, I refer you to the answer of the member for West Torrens yesterday. Member for Bragg, you asked this question yesterday and his answer remains the same.

**NOARLUNGA RAILWAY LINE**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:06):** Well, we are up to the 60 days then; thank you, minister and, accordingly, given that the 60 days then expire in 15 days, when over the next 14 days are passengers going to be provided with the timetable for that resumed service?

**The Hon. C.C. FOX (Bright—Minister for Transport Services, Minister Assisting the Minister for the Arts) (15:07):** Thank you. That would be a determination of those who are printing the timetables and creating the timetables within the department.

**SA WATER**

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (15:07):** I table a copy of a ministerial statement, titled SA Water, made earlier today in another place by my colleague the Hon. Ian Hunter.

**GRIEVANCE DEBATE****SMALL BUSINESS**

**The Hon. I.F. EVANS (Davenport) (15:07):** It is hard to imagine the state has ever seen a state government more dismissive of small business, a state government which has such a lack of regard for small business, and a state government that has such a lack of respect for small business than this government. There are two telling examples just this week that illustrate the total disregard that this government has for small business.

I speak of the Premier's attitude to payroll tax; the Minister for Small Business's absolute silence on payroll tax cuts for small business; and the Deputy Premier's backflip on health and safety codes. The government's lack of respect for small business comes from the top. It comes from the Premier. We all remember back in March 2012 when we were debating small business in this house, the Premier said:

Many of you here have run a few into the wall, and many of you have just inherited something from mummy or daddy.

This was the Premier who put on the *Hansard* his total disrespect of the family business sector which is primarily the small business sector in this state: 'you have just inherited something from mummy or daddy'. That is what the Premier said, and then today, he stands up and says that offering payroll tax cuts to business is a bad thing. Essentially that is what he said: no trickle-down effect, and that is a bad thing.

We ask the Minister for Small Business—we do have one in South Australia, no-one ever hears from him on small business matters, but we do have a minister for small business—what is his view about the payroll tax cuts? The Business Development Council that reports to the small business minister is on the record as wanting the payroll tax threshold to be increased from \$600,000 to \$800,000. The very advisory group the government set up for small business makes that recommendation and the Premier pours scorn on it.

There is a very big difference between the government and the opposition in relation to small business, and the message is very simple. The Labor Party wants to make it more expensive to run your business: pick carbon tax, pick mining tax, pick car park tax and pick that they do not want to give payroll tax rebates. That is distinct from the Liberal Party: think no carbon tax, no mining tax, no car park tax, and we are offering payroll tax reductions.

The reality is that I have never seen a government have such a low regard and disdain for the small business sector right down the cabinet. It is led from the top right down the cabinet. We all know what the Premier is on about today. He has brought back Mr Morris to be his communications director. He is rewriting Kevin Foley's lines about lazy oppositions. Kevin Foley used to run that out about every second Thursday. Mr Morris has told the Premier to man up. Obviously, things inside the party are not going too well. The polling may not be as good as Mr Morris or the Premier want and the reality is that Mr Morris has told him to man up.

This is a premier who said they were not going to announce and defend. On 1 January, they introduced new work health safety codes. In 2012, during estimates committees, we told the government repeatedly that the HIA said they were too expensive, too complex and would put up the price of housing. The government totally ignored and poured scorn on our argument. They introduced the codes on 1 January this year, and here we are in November, 11 months later, and what did the government announce yesterday? They announced they are now going to consult the Housing Industry Association about the codes. They have been in place for 11 months. This is the classic announce and defend style of Mr Rann that the Premier said he was going to get rid of.

Mr Speaker, if you go down the front bench of the government you have a small business minister who hardly has been sighted, you have an industrial relations minister who does not consult on his own health and safety codes, you have a treasurer who says payroll tax as announced by the opposition will not help small business. There will be a very stark difference between the government and the opposition in 2014 on small business policy.

#### **NORTH ON TARGET**

**Mr ODENWALDER (Little Para) (15:13):** I want to speak today about what I think is a very important program run by the police in my electorate, but I want to say a few words about this morning's debate on Holden's because I was disappointed I did not get a chance to speak during that debate. I want to put on the record that I join with the member for Fisher in his comments about how disappointed he was at some of the behaviour in the chamber this morning. There was a lot of rhetoric, there was a lot of dubious history and there was quite a lot of laughter over what is such an important issue, and I hope some of the people directly affected in my electorate were listening.

The solution is obvious, and the solution was put forward by the Premier and both the Minister for Manufacturing and the Minister for Transport. The solution is simply to convince the commonwealth to commit to a \$500 million co-investment package and ensure that Holden's invests in two new models. That is the immediate solution, and that is what those opposite are not committing: they are not committing to pressuring the commonwealth. I want to put on the record those few remarks.

What I actually want to speak about today is a program in my area, and in the area of the member for Ramsay, called North on Target. It is a drug education program of sorts. It is for year 6 students and it is run by SA Police. It is funded by at the moment by the Salisbury council. As a former police officer, I was interested to read about the program, and I met with Sergeant Chris Gill, the drug action team coordinator for Elizabeth who heads it up, and with Mick Schooley, who I know well. Other northern members will know Mick Schooley well. He works very well with kids and puts in a lot of hard work, as do a lot of police officers up there.

Sergeant Gill runs this 12-week course. It has a focus on building skills and self-confidence and increasing drug and alcohol awareness, but it does not focus on drugs as such. It focuses on assertiveness and confidence and, most importantly of all, on teaching kids to be peer leaders and peer educators and share their knowledge with other students. The students throughout the program—which is run on a voluntary capacity, largely, by the police—are empowered through discussion and role play to resist peer pressure and explore ways to say no, not just no to drugs but to be assertive in a general sense. I believe these skills will become valuable in many areas of their lives, especially as they become teenagers and young adults.

The group discussions focus on responsibility and the importance of being able to speak to adults, including police, if the need arises. There is only one module of 12 that actually talks about drugs and alcohol and so on, and the rest of it really is about important life skills and about passing those life skills on to their peers. They take them to various police sites as part of the program. It is not the most important part of the program but, as I heard last night, in fact, it is probably the part they most enjoy.

I was pleased to go along last night to the presentation of the awards to the kids who became peer educators who completed all 12 modules of this North on Target. Chris Gill was there. Mick Schooley, unfortunately, could not make it but it was chaired very ably by the deputy mayor, Chad Buchanan, out at Salisbury. These peer educators were from Paralowie Primary School and Lake Windemere Primary School, but I am hoping, through various discussions I am going to have with the councils, to roll it out into the City of Playford as well because I think it is a really important program.

As a former police officer, I think it is really sad that a lot of our youth nowadays sometimes have a pretty negative view of the police. Programs like these, as well as being important in their own right, are an important step in changing some of these perceptions of police, some of which are deeply ingrained and often generational. When students can work with the police in a fun and empowering way, only positives can come from it. The building of positive relationships between our young people and our police force is a vital step in tackling problems of antisocial behaviour and youth crime.

Again, as a former police officer, I am incredibly proud of what Chris Gill, Mick Schooley and the team up there have done and I would like to recognise them and all their support officers, as well as the Salisbury council and deputy mayor, Chad Buchanan, and some of the other councillors who devote quite a lot of their time to these sorts of programs. In conclusion, North on Target is a really innovative program. It has wide-reaching outcomes, and I do believe—and I will be having further discussions about this—that we should be looking at rolling out similar programs in schools across the north.

### HEALTH ADVISORY COUNCILS

**Mr TRELOAR (Flinders) (15:18):** I rise today to express the disappointment and anger that people right across this state are feeling towards the government of one issue in particular. There are many issues but this one in particular is in relation to the management of funds which have been donated by local communities to their local health advisory council. My understanding is that the Department of Planning, Transport and Infrastructure is now intending to take a 12 per cent management fee from any of the donated funds expended on capital works within various health advisory council hospitals and campuses.

By way of background, sir, the Lower Eyre Health Advisory Council intended to replace the roof of the Tumby Bay Hospital and spend bequeathed money on the Uringa aged-care facility. That same health advisory council is also running an adopt-a-room project in Cummins at the Cummins Hospital. The funds for all these projects are held by the local hospital auxiliary and not by state Treasury. That local hospital auxiliary is registered for GST and capable of managing the funds and the project. They have been informed by the government that the Department of Planning, Transport and Infrastructure (DPTI) intends to charge all capital works and maintenance donated by the communities who support local country hospitals a fee of 12 per cent.

At a recent meeting to select a tender for the upgrading of the bathroom at Tumby Bay's Uringa Hostel the working party was informed by Country Health SA's staff that the project had to progress under the Department of Planning, Transport and Infrastructure. The working party had progressed the project, with plans being drawn up by a local designer in consultation with Country Health staff. Five sets of specifications have been distributed to local builders at a cost of \$6,000. They have now been told that DPTI will take over the project and charge a 12 per cent management fee.

The bequest is valued at \$216,000. It is donated money: it is not Treasury money. DPTI will take up to \$25,000 of the bequest moneys for a project that is about to commence. Part of the plan includes replacing unsafe paving which would cost approximately \$25,000. This is the equivalent in funding to what DPTI would take from the project. This direction was made shortly after the Minister for Health visited the Tumby Bay Hospital; that meeting took place quite recently. The auxiliary met with the minister during the visit, but there was no mention of the 12 per cent management fee at that time.

We need some answers very quickly with regard to this. HACs all across country South Australia will have the same issues. It would seem that Cummins and Tumby Bay are about to be the first who will be obliged to pay this fee. It is a classic case of skimming by the government. The government is skimming funds from our local community, from funds that have been raised by the local community. One has to ask if we have finally lost control of our own assets. As has already

been mentioned today, it is a very good example of the low regard and disdain that this government has for country communities and, indeed, volunteers right across this state.

It is disappointing for me to have to rise and make this griever today, but I think there has been much correspondence entered into. We need a resolution to this very quickly, otherwise these hospital auxiliaries right across the state, which have played such an important funding role and fundraising role within our local communities, will become disheartened for no good reason. The government needs to have a very good look at itself on this particular issue.

#### **GM HOLDEN**

**Ms BETTISON (Ramsay) (15:22):** Today I rise to support the motion that we heard earlier in the house supporting the retention of Holden. Sunday week ago I was helping out one of my local primary schools at their barbecue fund raiser at the local Bunnings. It was a beautiful day and the place was full of people buying for their DIY. One of the key images that stayed with me that day was the number of people proudly wearing their Holden T-shirts. I was reminded of how excited my brother and I were when mum and dad bought our Holden jackets in 1985 from John Martins, Elizabeth. In the north we are proud that we produce great cars. Not only do we value the jobs at the Holden factory, but we know that we are making a piece of Australia to be sent out to the world.

This is a time of leadership. We need the commonwealth government to commit to a co-investment package which ensures Holden invests in two more models and continues to operate beyond 2016. It is cruel to make the people of South Australia dangle while the Abbott cabinet is undecided about its commitment to advanced manufacturing. We know globally that many other countries support their automotive industries at a far higher amount in Australia. It is estimated that the government per capita funding for the automotive industry in Australia is US\$18 a head, in Germany it is \$90 a head, and in the USA it is \$96 a head.

Australia is now the 12<sup>th</sup> largest economy in the world, and we stand next to other advanced manufacturing countries proudly, and in this I want to continue our position. Only 13 countries in the world manufacture a car from the ground up. This is something to be proud of and this is something to fight for. Holden is vital to South Australia. It is a strategic industry for the future of manufacturing. If we let this go, we are dumping this skills base and that makes no sense. It makes no sense as a South Australian or as an Australian. It is time to stand up. It is time to show leadership for all South Australians and say to Prime Minister Abbott, 'We know in your heart that you want Australia to manufacture cars. We know this, and you need to take leadership and show your cabinet that you are prepared to support manufacturing in this state.'

While we talk about numbers, I see every day the people of my electorate, the impact this indecision is having on them and the personal decisions they are putting off because they do not know what the future will hold. These people have great skills and we should be proud of their skills. We know that their great skills in advanced manufacturing spill over to mining and defence. We have made it clear on this side of the house that manufacturing is in transition and we are ready to step up to advanced manufacturing.

Why is manufacturing so important? Because it is a key driver of productivity. It is critical for export earning. It is the largest driver of high-value services and the largest generator of employment. As Göran Roos has made very clear, each job in manufacturing contributes and adds to between two and five indirect jobs. Very few other industries have this multiplier effect. Co-investment is crucial and we must show leadership in South Australia and demand Prime Minister Abbott support us for this co-investment.

#### **CAR PARKING LEVY**

**Ms SANDERSON (Adelaide) (15:27):** As member for Adelaide, I would like to share with this house some of the concerns raised by residents, businesses and other concerned parties regarding the Transport Development Levy (also known as the car parking tax) for the Adelaide CBD, as proposed in the 2012 Mid-Year Budget Review. We already know that the cost and convenience of car parking is the number one deterrent for people shopping, dining and visiting the city. The car parking tax will provide a further disincentive when travelling to the city for shopping and leisure, as a \$750 levy per annum per space will inevitably be passed on to the consumer.

Retail and hospitality, as well as vibrancy in the city, will unavoidably suffer as an unintended consequence of this levy. Businesses are already struggling in South Australia, with 264 insolvencies in the March quarter this year, the highest number since records were kept, and

28,000 job losses in the last five months, also the highest recorded in five months since records have been kept. We need to do all we can to support the city, the businesses and the people moving into the city.

The Property Council has condemned the car parking tax, claiming that the tax will make the CBD less attractive for business and only exacerbate the CBD office vacancy situation, which is already at the worst it has been in over a decade. The Adelaide City Council has raised concerns about the introduction of the car parking tax on several occasions, including 26 February this year and 26 March.

The Adelaide City Council estimates the direct cost of the levy in its current form to council will be \$6.4 million per annum, which would require a 20 per cent increase on current rates to city ratepayers in order to pay for it. The Adelaide City Council also raised concerns regarding the risk of the levy to retailers that operate within the city. The car parking tax is merely an add-on land tax and will damage businesses in the city rather than growing the economy and making the CBD more vibrant.

I have had many different people contact my office; some of them are residents. With the government's introduction of their stamp duty concessions for first homebuyers and off-the-plan purchases of city apartments, many people have been lured into the city. These are good initiatives; however, with the introduction of the Capital City DPA, the minimum parking requirements have been removed for capital city zone and catalyst sites.

For example, one of my constituents who lives in the Uno apartments does not have a car park. Uno was built with only 36 car parks for the 146 apartments. This person is on a disability pension, and as she does not have any street frontage she is not entitled to a parking permit from the council. There is not a bus that runs down Waymouth Street, and due to her disabilities, she needs to have a car to get around.

At the moment, she moves her car from place to place, sometimes getting vouchers from the council, and sometimes parking in private car parks. She is very concerned that the extra \$750 per year added on to the cost of her parking, whether it be on-street or off-street parking, will make it almost impossible for her to afford a car living in the city.

Another resident who was also lured into the city through the stamp duty rebates purchased an apartment on North Terrace that does not have any car parking, so she leases a car park at a monthly cost, and that will also be subject to the \$750 car parking tax, which also goes against the whole point of why she moved to the city: to have cheaper living costs.

Businesses are also concerned. The IGA on Gilbert Street that has car parks that it provides for its customers will also now be subject to the \$750 tax. St Luke's Church on Whitmore Square leases out their space for car parking in order to run the church and provide vital services for those in need in the area. This affects many, many people. Another example would be if you imagine the Target car park; there are 980 bays there.

At \$750 per bay, that would be \$735,000 extra per year in cost. If the owner absorbs the cost, the reduction in the revenue would devalue the capital value of the asset, therefore affecting any borrowings against this and other businesses they may own. Over time, he may pass it on and risk losing customers or risk losing them by passing it on immediately. There are many people that will be negatively affected by this. The examples from interstate show that instead of equally—

Time expired.

### **SOUTH AUSTRALIAN BRAND**

**Mr BROCK (Frome) (15:32):** Today I would like to talk about some of the 14 winners of the 2013 Brand SA Awards from the Yorke and Mid-North. The Small Business Award Winner was Mathie's Meat Shoppe in Clare. This shop is a unique butcher shop specialising in local products fully processed on the premises. This year, they were inducted into the Australian Meat Industry Council Hall of Fame for their traditional sausage, and are one of only six national inductees since the award's inception. They have now been inducted into the Hall of Fame.

The Community Group Award Winner was SA Country Carers at Clare. Since 1996, SA Country Carers have been supporting people who are looking after a family member or friend who has a disability, dementia, a chronic or mental illness, or who is of a frail age. Their vision is to acknowledge these carers and provide them the support they need. The program provides direct

support to carers through peer support groups, individual counselling and support, advocacy, information, outings and retreats.

The Community Individual Award Winner was Mark Swensson from Port Pirie. Since 2010, Mark has worked with various schools and community organisations as a youth worker. He is currently a student mentor and chaplain at John Pirie Secondary School, providing mentorship and pastoral care, and acting as a role model for staff and 700 students. Mark assisted in the creation and facilitation of an intervention program called Shedlinx.

The Educational Award Winner was Barossa Lower North Futures Trade Shed Clare. Barossa Lower North Futures is a not-for-profit organisation whose core business is to assist young people in the transition from school to work, further education or learning. They operate a trade shed in Clare where the young people get first-hand experience.

The SA Health Award Winner was the Terrace Medical Clinic at Port Pirie. This clinic is an accredited practice committed to providing comprehensive care to the local community. They offer a bowel cancer screening program and free flu vaccinations to children and adults who do not fit within the government run programs. The Terrace Clinic trains medical students from Adelaide University and the John Flynn Placement Program.

The Innovation Award winner was O'Dea Solar and Electrical at Crystal Brook. This is a family-run business based at Crystal Brook servicing regional and rural areas. The business provides general electrical work and solar energy installations and maintenance. Over the last 12 months, the business has installed a number of energy efficient systems including wind turbines and solar-assisted split-system air conditioners, a first for the business.

For Premium Food and Wine from our Clean Environment, the Food Award winner was Pangkarra Foods at Clare. This is a family owned and operated business producing premium wholegrain pasta and flour, from paddock to plate. Their most outstanding feature is the fact that their wheat is stone milled and they are the only business in Australia to produce premium stone milled wholegrain pasta and flour that are completely traceable from their origins. Since its inception in 2011, Pangkarra has achieved great success and is now represented in 185 retail stores and 35 restaurants throughout Australia.

For Premium Food and Wine from our Clean Environment, the Wine Award winner was Rhythm Stick Wines at Penwortham. The Sustainability Award winner was Savannah Lamb at Clare, who produce and supply stress-free and ethically-raised lambs to premium butchers, restaurants and direct to consumers in South Australia. From the outset, Savannah Lamb was established with specific aims and targets for environmental and business sustainability.

The Youth Award winner was Luke O'Dea from Crystal Brook. Luke O'Dea is the owner of O'Dea Solar & Electrical, based in Crystal Brook. He began an apprenticeship as an electrician in Kadina and found work in Clare. He set up his own company after a trip to China and sourced products to cut out the middleman, and he has now grown to have 13 staff in his organisation.

I would also like to represent some other finalists who were there: from the arts, Tracy Vandeppeer from Auburn; for large business, J.A. Rowe & Sons at Port Broughton; the community group was the Zonta Club of Clare and Districts; the community individual was Alison Edwards, a local GP at Port Broughton; for sport it was the Clare Valley Racing Club; and for sustainability, Port Pirie Regional Council gained an award for their water project.

In closing, I would just like to say how proud I was that out of 14 winners announced on the night, 10 were from my electorate of Frome. It just goes to show that in the regional areas of South Australia there are very innovative organisations and businesses out there. I congratulate everybody who participated on the night and wish them well in the future.

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

**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) (15:38):** I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

This Bill introduces legislative amendments to the eligibility criteria for the Housing Construction Grant (HCG).

Under the *First Home and Housing Construction Grants Act 2000* (the Act) only one HCG is payable in relation to a particular new home.

In many cases, both a person who has a home built on their land (including an owner builder) and a subsequent purchaser of the same new home may be eligible for the HCG.

The Act allows the HCG to be paid to either party in recognition that the scheme was intended to provide maximum flexibility to the housing construction industry, enabling the HCG to be claimed in a manner that best suited the nature of individual transactions.

While the Act enables RevenueSA to disclose that a HCG has been paid on a particular property, it does not currently make provision for how competing applications for the HCG should be treated.

This has led to a small number of cases where there have been disputes over who the HCG should be paid to when there is more than one application.

The amendments in the Bill operate to ensure that unless otherwise agreed between the parties, the purchaser of the new home should receive the HCG in these situations.

The policy of the Government was always intended to give the benefit of the HCG to the purchasers in these scenarios and the amendments in this Bill provide for that outcome.

I commend this Bill to the House.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

This clause provides for the short title for the measure.

###### 2—Amendment provisions

This clause is formal.

##### Part 2—Amendment of *First Home and Housing Construction Grants Act 2000*

###### 3—Amendment of section 7—Entitlement to grants

This is a consequential amendment.

###### 4—Insertion of section 12A

This clause enacts a new section to set out a scheme for making applications for a housing construction grant. Specific provision is made for the situation where the person for whom the new home is being built under a comprehensive home building contract, or an owner builder, receives a grant under the scheme set out in section 12A(2) and then a subsequent purchaser of the new home also makes an application for the grant. Such a provision is helpful because in some cases more than 1 person may potentially apply for the grant.

###### 5—Amendment of section 40—Power to recover amount paid in error etc

This is a consequential amendment.

**The Hon. I.F. EVANS (Davenport) (15:39):** The housing construction grant was first introduced in October 2012 and was to run until 1 June 2013. The government then introduced an extension of a further six months, until January 2014. The housing construction grant—around \$8,500—is available for new homes where the market value does not exceed \$400,000 and then fades out for new homes with a market value between \$400,000 and \$450,000 at a rate of \$17 for every \$100 in excess of \$400,000.

Under the *First Home and Housing Construction Grants Act 2000* (the act), only one grant is payable in relation to each new house. Both owner/builders and purchasers are eligible to apply for the grant, and under the current act the grant can be paid to either. This has resulted in a number of cases—five, we are advised—where there has been a conflict arising from both the owner/builder and the purchaser applying for the grant in relation to the same property. Obviously, they had not sorted out at the time of purchase who would be eligible for the grant, which I assume then put the bureaucracy in a difficult position because they had to pick one or the other—based on what criteria, who would know? The purpose of this amendment is to clarify the eligibility criteria in order to avoid this happening.

As the act currently stands, it does not make provision for how competing applications should be treated. As the intention of the government was for the Housing Construction Grant to assist the purchaser, this bill seeks to amend the act to this end. An owner/builder or builder can still receive the grant on the following condition: an applicant who is an owner/builder or who has

entered into a comprehensive home building contract must satisfy the Commissioner of State Taxation that he or she has not entered into a contract with a person for the sale of the new home before 1 January 2014 in order to receive the Housing Construction Grant.

The amendments will ensure that the Housing Construction Grant is only payable to an owner/builder or builder where they do not intend to sell the home before it has been resided in, thereby making it ineligible for the Housing Construction Grant going forward or before January 2014, when the grant is due no longer to be available—but watch this space, I suspect.

The bill contains provisions which allow the commissioner to require repayment of the Housing Construction Grant in circumstances where an owner/builder or the builder recipient of the Housing Construction Grant subsequently enters into a contract for the sale of a new home prior to 1 January 2014 and the purchaser applies for the grant. The bill does not allow the parties to a transaction to agree between themselves who should receive the grant. Her Majesty's loyal opposition, having considered the matter at length, have decided to support the bill without amendment.

Bill read a second time.

**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) (15:42):** I thank the opposition for the thorough explanation that has been offered for the situation in which the government and RevenueSA have found themselves.

The second reading speech, and all the media releases at the time, made it quite plain that this was a grant that was to be paid to the purchaser, but unfortunately the legislation was not as precise as it ought to have been and we had builders making claims on the grant and, in some instances, both the purchaser and the builder have been seeking the same grant. This clarifies the situation, and I thank the member for Davenport for the speedy passage of the bill.

**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) (15:44):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

#### **STAMP DUTIES (OFF-THE-PLAN APARTMENTS) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 30 October 2013.)

**The Hon. I.F. EVANS (Davenport) (15:44):** This is the Stamp Duties (Off-the-plan Apartments) Amendment Bill 2013, and this is the government's third attempt to try to get this policy right. We remember that they introduced it in the 2012 budget, and the opposition pointed out to the government that it had left out its own development down at Bowden and that there was a development out at Gilberton it had left out. Embarrassingly, the government had to sneak back into the house a couple of weeks later and say that it would amend it to include a slightly broader area to pick up those particular developments.

How the whole cabinet missed the Bowden development is a mystery to all of us, but one would assume that someone in cabinet might have thought that, since that development was having lots of apartments, it might have been wise to have this to actually encourage people to invest in that development. However, as luck would have it, the government has now decided that what it will do is further expand the area. So, this will be the third attempt.

The new area, you will be pleased to know, Mr Speaker, is now defined in the bill as the area constituted by 'the thick black line on the map'. I can just imagine some lawyer taking it to court and arguing about what it has to do to be defined as 'thick'. We understand it is an area to be bordered by Regency Road, Hampstead Road, Portrush Road, Cross Road, Marion Road, Holbrooks Road, East Avenue and Kilkenny Road. One assumes—although I will need to go into committee on this one, minister—that it is only one side of those roads, not both sides of those roads. I am just wondering how the government has actually defined that.

The amendments seek to make the eligibility area for the stamp duty concession for apartments bought off the plan to include the inner metropolitan area, as I have defined. The concession will be available for contracts entered into from 28 October 2013 so, even though the

bill is not passed, if someone has already signed a contract later than 28 October this year they will be eligible for this particular concession.

The concession remains available up until 30 June 2014—which, we note, is about 10 weeks after the state election—so one assumes it is simply a short-term measure, and I will ultimately ask the minister about that in the committee stage. All this simply does is broaden the area and slightly extend the period in which the rebate is available, and the opposition will support the bill.

**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) (15:48):** I have little to add other than to thank the member for Davenport for the continued assistance he offers the government in remedying our very rare defects.

Bill read a second time.

In committee.

**The CHAIR:** Would the member for Davenport indicate where he would like to ask his first question?

**The Hon. I.F. EVANS:** I would like to start at Mauritius, but we are here, sir. Why not clause 4?

Clauses 1 to 3 passed.

Clause 4.

**The Hon. I.F. EVANS:** The way I understand clause 4 is that it simply replaces 31 May 2012 with now two dates: one being Area A which is the existing area, 31 May 2012, which means any contract entered into after that date in Area A can attract the off-the-plan rebate; and then it replaces 31 May for the broader area, for any contract from 28 October. The way I read this I am assuming that, after 28 October, Area A becomes irrelevant because all the contracts must be written in Area B which, by its nature, includes Area A. My question is why do we need Area A in the bill at all since we are past 28 October and it is now irrelevant?

**The Hon. M.F. O'BRIEN:** The explanation that I have been given is that there is a kind of hiatus period if you like between 31 May 2012 and 28 October 2013 and for that reason we have framed the bill as we have.

**The Hon. I.F. EVANS:** I understand that, minister, but 28 October is gone, so no-one can now apply for a grant in that period. They can only apply from 28 October on. In fact, they can only apply basically from 28 October on because the government announced they would be eligible from that date. So, the way I read it, they are automatically eligible for Area A and B. Area A becomes irrelevant after 28 October and, as it is now 14 November, why do we need 28 October in there at all?

**The Hon. M.F. O'BRIEN:** What we are dealing with is settlement date falling obviously after contract date, and application being made on settlement date, and that is why we have basically framed it the way we have—to deal with the fact that people have entered into a contract purchase but they have not settled, and with settlement comes the application.

**The Hon. I.F. EVANS:** Clause 4(3) defines Area B, which means 'the area bounded by the thick black line on the map', which is very scientific, and 'an area constituted by sites contiguous with the area described in paragraph (a) (being sites that include land that runs immediately alongside the outside of the boundary constituted by the thick black line on the map set out in Schedule 3)'. The way I understand that, and the minister can tell me if I have it wrong, is that that means, every site on either side of the road that constitute the outside boundary of area B, if an apartment is built on that land they are available to receive the off-the-plan apartment stamp duty exemption.

**The Hon. M.F. O'BRIEN:** That is correct, and it applies if they entered into a contract on or after 28 October. The member for Davenport is correct that it applies to both sides of the road along which the thick black line runneth.

**The Hon. I.F. EVANS:** The way I understand this rebate is that they get a rebate for a purchase of an off-the-plan apartment. At what point is the rebate paid and, up until this new scheme when this bill was introduced, what is the number of rebates that have been paid since the scheme has been introduced?

**The Hon. M.F. O'BRIEN:** It is paid on settlement, and 63 have been paid to date.

**The Hon. I.F. EVANS:** What was the budgeted amount? What was the expected number? Sixty-three have happened. When the scheme was introduced, Treasury would have assumed that X number were going to happen. What is the expected and budgeted for number of rebates to be paid?

**The Hon. M.F. O'BRIEN:** I did query that I thought 63 was a low number, and it has been explained to me (and it is readily understandable) that, generally, the developer would wait until he has sold a given number of apartments, at which time he would realise the project is viable and then it has to be constructed. There would be a significant number of contracts let on buildings on which construction is yet to be commenced or currently under construction. As to what the budgeted figure is, I will endeavour to come back to the member for Davenport. We just do not have that in the briefing documents.

**The Hon. I.F. EVANS:** This is a stamp duty rebate so it must only occur when a contract has settled, so when an actual apartment is built. This scheme has, so far, only resulted in 63 apartments being built?

**The Hon. M.F. O'BRIEN:** I think it would be more accurate to describe it as 63 apartments either being occupied or owned. It does not mean that there is not a large number of other apartments currently under construction and awaiting final completion so that settlement can occur. All we are saying is that 63 apartments have now been either occupied or are completed.

**The Hon. I.F. EVANS:** If there are apartments being built that have not yet been subject to this particular rebate, doesn't that mean that the economic activity is already happening because the apartments are being built, and therefore you do not need the rebate to generate that activity? Those apartments are already being built. They just have not been contracted for sale yet; the contract has not been finalised. That is why I am interested in how many extra apartments Treasury thought would be in receipt of this particular rebate, because 63 since May 2012 is only four or five a month.

**The Hon. M.F. O'BRIEN:** I think a lot of purchasers and investors are attracted to off-the-plan purchase because of the various tax concessions and this is one of them. They are generally seen as a spur, if you like, to construction, so I think it is probably unfair to say that this construction would have occurred regardless of whether incentives were being offered. I have a sales profile in front of me—a table that indicates that we are expecting there to be ultimately in the year 2012-13, 265 sales; in 2013-14, 430 sales; in 2014-15, 555 sales; and similarly in 2015-16. These are end of year totals.

**The Hon. I.F. EVANS:** On what date does the current scheme run out? When does it become ineligible?

**The Hon. M.F. O'BRIEN:** There is a full exemption to 30 June 2014 and a partial exemption to 30 June 2016.

Clause passed.

Remaining clause (5) and title passed.

Bill reported without amendment.

**The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (16:03):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

#### **CROWN LAND MANAGEMENT (LIFE LEASE SITES) AMENDMENT BILL**

Received from the Legislative Council and read a first time.

#### **RIGHT TO FARM BILL**

Received from the Legislative Council and read a first time.

#### **MOTOR VEHICLES (DRIVER LICENSING) AMENDMENT BILL**

Received from the Legislative Council and read a first time.

**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) (16:06):** I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

This Bill amends the *Motor Vehicles Act 1959* to enable the Minister to issue exemptions from certain licensing requirements of the Act for Aboriginal people living in remote communities—initially the Anangu Pitjantjatjara Yankunytjatjara Lands (known as the 'APY Lands') and the Maralinga Tjarutja Lands—but with the capacity to prescribe other areas by regulation should the need arise.

The requirements of the current driver licensing system present many obstacles to people in remote indigenous communities. Currently, only an estimated 17 per cent of eligible Aboriginal people living on the APY Lands hold a valid driver's licence, in comparison to the State's licensing rate amongst eligible non-Aboriginal people of almost 90 per cent. Similar low participation rates apply in other remote Aboriginal communities.

Extensive research on this issue conducted by the Department of Transport, Planning and Infrastructure, Austroads and various State and Territory governments shows there is overwhelming evidence that the current driver licensing system often provides insurmountable regulatory and financial obstacles to indigenous people gaining and retaining a driver's licence.

Aboriginal people living in remote communities face a number of issues that are not faced by those in urban areas including:

- Graduated Licensing Scheme requirements that are prohibitively expensive and onerous to comply with in remote communities;
- a lack of Qualified Supervising Drivers due to the low licensing rate;
- access to registered, roadworthy vehicles for learner drivers, especially for learner drivers who are trying to obtain their 75 hours of supervised driving;
- difficulties in undertaking a practical driving test due to the booking requirements;
- difficulties acknowledging notices of disqualification;
- problems understanding driver licensing related communication due to English language difficulties;
- the overall complexity of the driver licensing system.

As a result of these obstacles, the low rates of driver licensing exacerbates various social issues arising in remote Aboriginal communities. Evidence suggests the lack of mobility acts as a barrier to employment and creates difficulties accessing healthcare facilities, schooling, sporting and social events.

Data nationally also suggests that Aboriginal people are already significantly over-represented in road crash statistics, and without a driver's licence the likelihood of incurring financial penalties and interactions with the justice system from minor traffic and regulatory offences increases.

Given the social costs and the fact that Aboriginal people living on the Lands are not progressing through the Graduated Licensing Scheme to a full driver's licence at acceptable rates, the government proposes to assist them to obtain or regain a driver's licence by reducing existing barriers by means of an exemptions scheme.

The proposed exemption power would only apply to licensing provisions in Part 3 of the *Motor Vehicles Act* surrounding eligibility for a learner's permit or provisional licence.

Depending on age and previous driving experience, an exemption may be granted to enable a person to complete a reduced number of hours of supervised driving for a learner's permit, or spend less time on a P1 or P2 licence. Conditions could be placed on an exemption to ensure road safety is not compromised.

All licence conditions and road traffic laws including offences and disqualifications would continue to apply to drivers once licensed.

A Ministerial policy would guide the issue of exemptions. Initially the exemptions would only apply to a small number of members of the local community who are not currently disqualified, nor subject to Mandatory Alcohol Interlock Scheme conditions, and are selected by community elders.

It is anticipated that in 2014 a road safety education and intensive driver training program would be established on the Lands based on the 'Drive Safe NT Remote' program. The Northern Territory Drive Safe program has issued 894 learner's permits and 217 provisional licences during the past 18 months and has been an overwhelming success.

In addition, community support for parents and other community members would be provided to help them understand the requirements of the licensing system and support participants in the driver training program.

The Ministerial policy that will guide the operation of the exemption scheme will be evaluated after 4 years to determine its effectiveness in both road safety outcomes and in terms of access to licensing for Aboriginal people living in these remote communities.

It is anticipated that the exemptions will have a significant positive impact on the Lands by allowing community members to take advantage of employment opportunities, to more easily access healthcare facilities in Alice Springs, to access social, sporting and community events and importantly, to reduce instances of debt and incarceration that have arisen due to the difficulties arising from the current licensing system in remote communities.

I commend the Bill to Members.

#### Explanation of Clauses

#### Part 1—Preliminary

##### 1—Short title

This clause is formal.

##### 2—Amendment provisions

This clause is formal.

#### Part 2—Amendment of *Motor Vehicles Act 1959*

##### 3—Insertion of section 98AAG

This clause inserts a new section at the end of Part 3.

##### 98AAG—Exemptions for Aboriginal persons in remote areas

Subsection (1) empowers the Minister to grant exemptions from provisions of Part 3 subject to such conditions as the Minister thinks fit.

Subsection (2) provides that an exemption may only be granted for the purpose of enabling an Aboriginal person who ordinarily resides in a remote area to obtain a driver's licence.

Subsection (3) provides that an exemption expires when the person to whom it applies is issued with an unconditional driver's licence.

Subsection (4) defines *Aboriginal person* and *remote area*.

Debate adjourned on motion of Mr Gardner.

**Mr GARDNER:** Mr Deputy Speaker, I draw your attention to the state of the house.

*A quorum having been formed:*

### **SPENT CONVICTIONS (DECriminalISED OFFENCES) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 25 September 2013.)

**Mr GARDNER (Morialta) (16:10):** It is a pleasure to be able to speak on the—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**Mr GARDNER:** —Spent Convictions (Decriminalised Offences) Amendment Bill. In doing so, I identify that I am not the lead speaker for the opposition on this matter. Tempted as I am to speak for the next three hours, I am also aware that we do have some other matters to attend to. Nevertheless, on 30 September the Attorney-General introduced the Spent Convictions (Decriminalised Offences) Amendment Bill. The bill amends the Spent Convictions Act 2009 to provide that historical convictions for offences constituted by homosexual acts that are no longer criminal offences can be spent.

On 22 November 2012, the Senate resolved to call on all Australian states and territories to enact legislation that expressly purges convictions imposed on people prior to the decriminalisation of homosexual conduct. The Senate motion referred to the Protection of Freedom Act 2012 in the United Kingdom that enables the Home Secretary, on application, to formally disregard certain convictions for decriminalised consensual sex offences. The UK provisions, which commenced on 1 October 2012, took the approach of specifying the relevant offences—buggery and gross indecency between men offences—and then allowing the Home Secretary to decide whether the convictions should be disregarded in all the circumstances.

While no other jurisdiction appears to have taken specific steps to address the spending of homosexual offences, four jurisdictions already have 'repealed laws' provisions in their spent

convictions legislation which could be engaged. The legislation of those four jurisdictions (the ACT, NSW, Tasmania and the Northern Territory) provides in broad terms: (1) a conviction for an offence of a kind that has ceased, by operation of law, to be an offence is spent when the offence ceased to be an offence; and (2) only if the offence is prescribed under the regulations to be an offence to which this subsection applies.

South Australia and Queensland do not have relevant provisions, Western Australia has an 'application only' approach to spent convictions, and Victoria has no spent convictions legislation. The bill would make amendments to the Spent Convictions Act to allow convictions for homosexual acts to be spent.

That provides some background to the nature and purpose of the bill, and I will allow the lead speaker to put the opposition's view at greater length than I choose to do so at this time. It has been a pleasure to be able to contribute to the debate on this piece of legislation.

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:13):** I am so impressed with the contribution made by the member for Morialta that I am almost tempted to make this the briefest contribution I have ever made—but, just in case, I thought I would mention one thing, and that is the question of having a regulatory power in this bill to extend the definition of a designated sex-related offence. I think the core issue is that in providing the relief, which has been ably set out by the member for Morialta of the purpose of this legislation—

**The Hon. J.R. Rau:** Most ably.

**Ms CHAPMAN:** Most ably, yes, I should say—in essence, the relief will be granted to those who have had same-sex sexual encounters between consenting adults. The opportunity to expand the definition by regulation may ultimately cover couplings with a party who might be under the age of 18 years. We do not know the answer to that, so we would want to have some assurance in that regard as to how this is to apply outside of what, on the face of it, I think everyone agrees is a historical anomaly on the basis that some might have a record trapped in time and would be seeking to have their history expunged in this way.

We are not objecting to the principle of the legislation, but we do think there needs to be some clarification of definition. Consistent with our time-honoured contribution to this house on other bills, we think the nature of that should be clearly defined in the act, rather than by regulation. The consideration for us is how that might be addressed.

I do not think, in this case, that any draft regulation has been provided on what the definition of a designated sex-regulated offence would be under the prescriptive power that may be foreshadowed. We would be pleased to have that between the houses, as it may resolve the concerns of the opposition. At this stage, we may choose to file an amendment on the matter in another place.

The other matter I will just place on the record is that, because the government has chosen to consider the United Kingdom legislation in the second reading contribution of the Attorney, I ask that it be noted that, whilst the United Kingdom legislation specifies the relevant offences, the current South Australian act already allows sex offences to be specified by regulation and that, by analogy, we should allow designated sex offences to be specified by regulation.

With that small contribution, and the able summary provided by the member for Morialta—an apprentice Attorney, I can see—I indicate that that concludes my remarks.

**The Hon. R.B. SUCH (Fisher) (16:17):** As members would know, I have been a strong supporter of legislation to cover spent convictions. It took a long time for the first measure to get through the parliament. When I started campaigning, the attorney-general of the day said that it was living a lie, and he did not support any spent convictions provisions whatsoever. Fortunately, we have moved on.

There are some people who say and who have said to me, 'Once a criminal, always a criminal.' I said in response to them and others, 'Haven't you heard about forgiveness and moving on?' I think it is very important that, unless it is a horrendous type of crime, people have the opportunity to have a clean slate, move on in life, and get the monkey off their back.

One issue that came to my attention, and has done so on more than one occasion, is when someone got into trouble with the law in regard to carnal knowledge but then married the young person, and they have been happily married for 40 or 50 years. I do not want to trivialise serious versions of carnal knowledge, but I do not believe it is a prerequisite for a happy 50-year marriage.

I do not believe that this bill before us will actually deal with that situation. I think members can appreciate a situation where two people are in love and engage in sexual intercourse, and the female (which I guess it usually is) is under the age of 18; that can result in a conviction.

In many cases, though not in all cases—there can be carnal knowledge which is in a different context—I think we need to be able to consider that situation where it is really a different intention from someone taking advantage of a young person, which I guess the law is trying to protect, but I am not sure from my reading that that matter would be dealt with by this bill. In any event, I welcome this bill and will support it, but I would be interested to know from the Attorney whether carnal knowledge, as I have expressed it in relation to someone who then marries the younger person, would be covered by this bill.

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (16:20):** Can I thank the contributors to the debate. First of all, as always, the member for Fisher, as we all know, has been a long-time champion for reform in this area and it is pleasing to hear that he acknowledges and accepts that this is a step in the right direction. I will attempt in a moment to address as best I can the specific question that was raised by the honourable member for Fisher.

My special thank you, though, I think has to go to the member for Morialta, who in extremis stepped into the breach, took up the cudgels and produced the most succinct and compelling argument, and, not only that, it had a very soothing effect on the member for Bragg, who afterwards came here in one of the sweetest moods I certainly have ever seen her in.

**Mr Gardner:** It's all relative to you.

**The Hon. J.R. RAU:** Certainly relative to me, yes. I take the honourable member's point, that is true. Anyway, I thank the honourable member, and can I encourage the honourable member, if not being the lead speaker in the next few days we have in Attorney-General's matters, could he at least be the non-lead speaker who speaks first, because it has been very—

**Ms Chapman:** It tempers me.

**The Hon. J.R. RAU:** It tempers the member for Bragg and her inherent sweet nature bubbles to the service when this occurs. I congratulate the honourable member for that. Of course, the member for Bragg gave a very clever contribution again, highlighting the point that she often makes, which is the issue about regulations. I know that members of the opposition, in particular those in another place, have a particular interest in this topic. So, I will do my best to make some helpful remarks as best I can.

First of all, to deal with the question raised by the member for Fisher, and if I am getting this wrong, those of you sitting over there, just wave or throw a paper jet at me or something so that I can be corrected, alright? The way I read it is basically this: at the moment, the capture of the provision is only consenting adults, so there is no question that a child, whatever the nature of the relationship between the child and the adult, or the child and another child, for that matter, would not be captured by the statutory provision here. So, it would be a—

*Ms Chapman interjecting:*

**The Hon. J.R. RAU:** No, I am coming to that. But, in terms of what that captures, I think it is fair to say that, as far as I can tell, and subject to any advice I have to the contrary, we are basically talking about people who have been convicted of homosexual crimes which no longer exist and they were adults at the time, so between consenting adults. That is basically what it does. As I read the proposed part B of that, that is not similarly constrained. In other words, part B does not say an offence between consenting adults proscribed as a designated sex-related offence. My basic statutory interpretation of that would be that it uses different words to achieve a potentially different outcome. In my view it would be—subject to what others might say—potentially possible for another particular offence which involved one or more children which could be the subject of a regulation. Of course that of itself would be capable of being disallowed by parliament. I was just having another thought whilst I was speaking—

**Ms Chapman:** A drop of wisdom.

**The Hon. J.R. RAU:** Yes, indeed. During the briefings I believe it was indicated to the member for Bragg that our intention is that the regulations will be drafted to include a sex offence constituted by a 17 year old engaging in consensual sex, either with another 17 year old or an

adult. As I understand it, the age of consent in South Australia is 17 and, in some circumstances, 16.

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

**The Hon. J.R. RAU:** That is in Queensland, is it? It was felt that this was best dealt with by way of regulations to ensure that this provision was properly drafted and of course the regulations would be capable of being disallowed should they be ineffective.

**Ms Chapman:** Show us a draft.

**The Hon. J.R. RAU:** Yes, I will undertake to the member for Bragg that between the houses we will attempt to have a draft regulation available for her consideration. In that respect, that partially answers the member for Fisher's question, because if the person who was convicted of a carnal knowledge offence falls into this category—that is, a 17 year old—then it might well be that the regulations are capable of extending that.

Once we start pushing ages younger than that we get into more and more complex legal territory and ethical territory, for that matter. We are attempting to say there is a potential for 17 year olds to be captured by regulations, but we will do our best to make sure that those regulations are provided to the member for Bragg between the houses so that our intention can be plain from the regulations, and hopefully that might in some way assist the matters raised by the member for Fisher.

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) (16:28):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

#### **CRIMINAL LAW CONSOLIDATION (PROTECTION FOR WORKING ANIMALS) AMENDMENT BILL**

Consideration in committee of the Legislative Council's amendments.

**The Hon. J.R. RAU:** In relation to this, what has basically happened, as I understand it, is that the amendment that was foreshadowed here on the last occasion by the member for Stuart was inserted by the other place. That is now returned to us. In addition the other place has removed the capability for regulations to be made to extend the class of animals.

I want to say a couple of things about this. I repeat what I said to the member for Stuart, which is that if the regulation-making power were retained, obviously we would listen to any reasonable request to extend something by regulation. However, I understand that the opposition and the other place, generally, have a dislike of that form of regulating matters. I will not attempt to have an argument about that, and I can foreshadow that that part of it, the part that removes the regulation-making power, I will accept.

I still do not think it is the best outcome, but I will accept that amendment. However, the other part of the amendment seeks to insert a provision which basically refers to 'council dogs' (I am paraphrasing), and I want to say a few things to explain why I have the attitude that I do to this. First, in my view this amendment is too wide, because it is capable of 'capturing' a number of dogs—not literally, of course—

*An honourable member interjecting:*

**The Hon. J.R. RAU:** Metaphorically; it is capable of metaphorically capturing a number of dogs that are not intended to be covered by the definition. So it is an inherently vague description. Secondly, dogs captured by this definition may not have any particular qualifications. I know that most dogs have not been to university or anything else—

**An honourable member:** Some have.

**The Hon. J.R. RAU:** Some have, but police dogs have an extensive training regime, as do the dogs that help people with sight impairment. They are very intensively-trained animals; a lot of effort, time and money goes into training them.

The other thing is that not only might the creatures potentially captured by these amendments not have particular qualifications, but they may include animals that belong to private security firms that have been contracted by councils. This raises the question of quality control and what training these animals have, if any, in order to fall within the definition of working animals. So, part of what we were trying to capture with the concept of working animal was a highly trained assistant for in one case the police and in the other case the visually impaired.

I am advised that dogs that are guarding property in a council area may include guard dogs which are left on their own to guard a property. Unlike other animals which have been included in the bill by the government, dogs used by a council may not be under the control of a handler and, as such, it is not appropriate that they be included in the definition of working animal in the same sense as a police dog or a seeing-eye dog is.

The amendment was prompted, as I understand it, by the use of a specific dog patrol in Port Augusta and Ceduna. In my view it is not appropriate to include these particular animals; in fact, it might be quite problematic, given some of the media attention that has been devoted to these animals in the past.

I want to advise of a few media reports which might be of some interest to members when considering whether or not we wish to extend a particular protection to these particular animals. Before I go into these media reports, can I say I am not reading these into *Hansard* for the purposes of saying I have any objective view one way or the other about these reports, but I am saying that these reports exist, they are on the public record, and we will be capturing the animals to which these reports refer if we proceed with this amendment.

The first report I wish to mention comes from ABC Online, Thursday 3 July 2008, and it is from the *AM* program and is entitled 'Mixed reaction to dog patrols in Ceduna'. I will not go through the whole transcript, because it will take some time and people would perhaps not be greatly informed by me reading the whole thing, but the context is this. Perhaps the opener is the best way of capturing the beginning of it. Tony Eastley, the narrator begins:

Dog patrols used to counter anti-social behaviour in a South Australian town are being compared to the security used in South Africa during the apartheid regime. The isolated coastal town of Ceduna hired a security service nearly three months ago after repeated fights on the town's foreshore and heavy drinking in the streets—

neither of which, by the way, I condone; that is incidental. It continues:

The patrol is so popular with some parts of the community, the council has decided to extend it. However the Aboriginal Legal Rights Movement says using security dogs in this way is racist and unfairly targets Aboriginal people.

Then it goes on with Nance Haxton, the journalist, reporting from Ceduna. We discover in her report that the animals concerned are a Rottweiler and a German Shepherd named Eva and Max—evidently Adam was not available—and they are controlled by two security guards. Further on in the same transcript, they quote Mr Neil Gillespie, who was the then director of the Aboriginal legal service in Adelaide, and I read his quote without saying that I necessarily endorse it or have any view one way or the other about it, but you need to understand what has been said about this, and I quote:

This is not South Africa in 1975; this is Australia in 2008 and I think that it is targeted at Aboriginal people. To bring in Gestapo-type guards is just worrying. Again, I repeat, it is a racist action by the Ceduna Government.

**Ms Chapman:** Ceduna what?

**The Hon. J.R. RAU:** Ceduna government. As I said, I am not asserting an agreement with Mr Gillespie's expressed views. I am simply saying this is there on the public record about this particular dog patrol. Furthermore, there was an article in *The Advertiser*. This appears on 18 July 2011. *The Advertiser* report is headed 'Security guards accused of racism during Ceduna deaths inquest' and it goes on to say:

Private security officers are removing Aboriginal people from the scenic foreshore at Ceduna because of their race, an inquest has heard.

In any event, I will not read the whole thing out, but it has an image on the front of a couple of chaps leading what look like our old friends Max and Eve again down the road, and the tone of it is—I think it is best to say, at the very least, this is a controversial initiative; can I put it that way? Then, again, 8 May 2008, *The Advertiser* again reports, 'Residents on edge as Ceduna calls in the dogs'. That is the heading and, again, we have a nice image of Max and Eve on the front of the paper and it begins:

Ceduna council has a 'South African mentality' and is running the town as if it were a police state, Aborigines say. They are outraged that the council has employed a dog squad and other security measures which they say target the Aboriginal community. Community elder Mitch Dunnett said there were reports of people being intimidated and bitten by the rottweiler and German shepherd used by the privately run dog unit.

Then they quote this gentleman saying:

You see pictures of South Africa when the white people used to use dogs on the blacks up there. That's what's happening in Ceduna.

I expressly make this clear: I am not endorsing any comment made by any of these individuals. I have never met Max or Eve and I have never seen this patrol, but I point out to members of the house that this particular activity by these dogs is not without its degree of controversy.

For the reasons I have already explained, namely, that these dogs are not highly trained dogs in the same way that a guide dog or a police dog is, and for the reason that they are not necessarily dogs that work with handlers all the time, and for the reason that the term of 'council dog' is a very general term and may capture a whole range of activities which involve dogs (some of which might or might not be trained), and because it may capture (as in this case) potentially privately owned and operated contractors who use dogs, I am opposing that amendment.

I will summarise it. I am prepared, in the interests of bringing this matter to a close, to accept the amendment removing the regulation-making power from the legislation, if that is a very strong view of the council and given the fact we do not have a lot of time to argue about this. I am prepared to yield to the council in respect of that matter. In respect of this second matter, for the reasons I have just explained, unfortunately, I am not prepared to accept that amendment.

**Ms CHAPMAN:** I note the government's acquiescence to amendment No. 2, which is to delete paragraph (e) and therefore the expansion of the definition of application by regulation, and I note further the government's position on amendment No. 1, which is designed to include the same protections for dogs employed by a council as defined by the Local Government Act for the purpose of enforcing council by-laws, conducting security patrols or protecting or guarding property in the council area.

Can I say that if the fate of this bill is that it fails completely in due course, I do not think that it will leave any great gaping hole of inadequate protection for the dogs that are already proposed in the definition and have already been agreed to. As is already set out in the contribution by the opposition here and highlighted, expanded and reported upon in another place, it is already clearly covered by legislation to provide for quite severe penalties in the event of a working dog providing services to the blind or police services and the like. As I say, if the fate of this bill was that it were to fail, we consider that there would be adequate protection. Further criticism of this bill has expanded to others, who have been reported as describing it as just a complete stunt. The fact is that, from the opposition's point of view, whilst we did not object to the passage of the bill, we would not be alarmed in the least if the whole bill failed.

I think I noted just in this last week, and it might even have been last night, news reports that the person has been charged with offences surrounding the incident out of which the whole of this legislation seems to have been born—that is, the quite severe injury of a dog in service. Thankfully, he recovered, but charges have progressed. In fact, I think the alleged offender has been charged with more and other serious crimes, and we would hope that anyone who is involved in the unwarranted attack on the subject dog is appropriately treated.

However, the government's decision to exclude the amendment that is proposed from the Legislative Council—on the basis that there have been media reports of events in Ceduna which suggest that the use of patrol dogs either by a private agency or in the circumstances he has described would justify their opposition—I think is grossly unfair. Firstly, let me say this: the fact that dogs in these circumstances that are proposed in the amendment are employed by subcontracted private security firms, in my view, should not in any way exclude them.

Secondly, there is no indication from the material that has been provided that the dogs which do this work on behalf of local government—enforcement of their by-laws—do not have any training. They may not be trained for the same length or to the same extent or in the same particular detail, for example, as a police dog. They would certainly have, I would expect, different training from that of a dog that would be providing services to a person who is vision impaired. But to suggest that in some way they do not have adequate training without providing any detail, I think is unfair.

I would expect that, for the purposes of a licence as a security firm—private or otherwise—they would have to have certain threshold qualifications for their dogs and that would be something that would be expected to be applied for the purposes of employment by the Ceduna local council, or indeed at Port Augusta or other precincts in which this service is provided in the country.

My recollection is that the member for Stuart raised these as examples in his electorate or neighbouring areas where they had been used by another level of government other than the state government to provide security services and that there was no justification for excluding the same protection to these animals as that applied to the enforcement agency—namely, the SA police—provided by the state government.

I suppose the argument, as I understand it, is that dogs under the responsibility of the federal law are also included in the original bill—that is, customs dogs and dogs which are there to detect drugs, and which are handled by federal police officers and other security personnel at airports, for example, and also undertake an important role. My recollection of the debates is that they were included and that they would also have a different job to do.

I can vividly remember going into a United States airport and observing an occasion when little basset dogs were given the task of checking all the luggage. It was an internal airport, so it was like what we would call an old-style airport, where you walk across the tarmac and get on your plane up some stairs. You get wet on the way and the usual things; in the United States, you usually get snowed on or something. In any event, there are no air buses or bridges that are available to take you to the large capital airports, and it was common to see these little bassets and beagles being used for the purposes of their job.

I remember one occasion quite vividly in an airport, coming into Washington. A passenger had gone up and kicked this little dog, who was only doing his job and, so much so, being a little dog it flew into the air—not a great distance but obviously squealing in pain in reaction to this. It was completely unwarranted and unacceptable conduct to any animal. But, here's this little dog doing his job and he is treated in this way. Of course it is reprehensible and it is the sort of thing that we should be ensuring they are protected against. That was an event, obviously, in a different jurisdiction.

I just make the point that we are covering all sorts of dogs in working environments that may not be trained to attack people, or to growl an intruder into an area, or chase down a person who is carrying a weapon. It might be just some little pet, some little animal that is specifically given a task in its particular area of expertise, for example in detecting drugs or contraband in some way. So, I just make this point: if there is a social objection to the use of certain dogs, in a patrol sense, and there are allegations, for example, of racist use—that is, the deliberate application of this service to exploit the opportunity to pick out an Indigenous community or some other racial group—then let's have that debate. I do not have any problem with that.

I can think of other occasions in regional areas where there is behaviour—and Ceduna is not an exception in this—where there has been the cry of racism in response to certain conduct. I can remember being the shadow minister for education and visiting Ceduna Area School. There was an issue of application of separate disciplinary regimes for different racial groups within the school. I had been asked to attend in response to an allegation that certain children were throwing rocks at little children as they entered the school yard early in the morning—so they were just outside the perimeter of school. These children were being rained on with rocks. There were parents who complained about this.

I sent a message off to the then minister for education that this was obviously intolerable behaviour and it needed to be dealt with. There was a general declining to deal with that issue, and there was major concern in the community, culminating in a public meeting with a number of people attending. When there were comments made about this, there were headlines in the local paper and flashed across the radio. Indeed, there was even a headline in *The Advertiser* about certain responses to this as being likened to apartheid.

Certainly I do not agree with the assessment that they had made of that, but I make the point that it is not a very wise move to rely on one or two media reports as to the accuracy of what has actually occurred in respect of its application to this; in other words, to rely on those reports as being what I would think a serious and concerned social comment that has been reported about a certain activity. The colourful language the descriptors that were to apply in my view ought not be relied upon by the government in determining the policy question of whether this definition should apply.

If in fact the government feels there is some use or abuse of a certain quite legitimate activity, which this is—it is my understanding that these dog patrols in Port Augusta and Ceduna are quite legitimate activities—there is some significant social downside to them being available or utilised, in particular for conducting security patrols, then let's have that debate. It would seem that the basis upon which the government is declining this amendment from another place, as has been pointed out, really covers I think a very helpful contribution and idea by the member for Stuart, I think is inadequate to galvanise our support in his mission of disposing with this amendment. We will not be moving in the same direction. I note the government's agreement to No. 2, the opposition supports No. 1 and we will see whether that is a matter which culminates in a conference, no doubt.

**The Hon. R.B. SUCH:** I think the genesis of this legislation was questionable in the first place in two respects. I am more concerned about the welfare of the police officer than the dog. That is not to say I am not interested in or an advocate for animal welfare, but it is interesting that after this incident the focus was on the wellbeing of the dog. I did not hear anyone express any concern about the risk to the police officer. Any cruelty of any kind to animals is unacceptable and I would have thought that the Animal Welfare Act would have covered someone doing something harmful to a police dog or any other animal in our state.

However, the reality is that we have this bill and we need to deal with it. I agree with the Attorney, who I think is right on both counts. Personally, I am not concerned if the Attorney had regulation-making power in respect of this matter, but I accept his view that it is reasonable not to pursue that. In terms of working dogs, council dogs, etc., I think we need to bear in mind that police dogs are in a special situation because they are likely to be threatened and possibly harmed.

The member for Bragg mentioned a situation in an airport. A kick up the backside, whether you are a dog or a human, is not pleasant, but I think it is a little bit different from getting a knife or some other instrument stuck in you, and that is the reality for police dogs. I am a great supporter of the police having dogs as part of their armoury, if you like. They should have more of them because there is one thing for sure: a crook can outrun a sergeant, but it cannot outrun a well-trained Alsatian, labrador or whatever other police dog you have.

If you extend this concept beyond police dogs and dogs that perform a similar function, I think you are opening up a can of worms. At the shopping centre where my office is, we have had dog patrols by private operators and there are a lot of concerns about that. The shop owners have tried various techniques to scare undesirables away.

**The Hon. J.D. Hill:** Hasn't worked on you, Bob.

**The Hon. R.B. SUCH:** They are often defined as young people, so that rules me out. They tried dogs and then they tried Frank Sinatra. Frank Sinatra's *Come Fly With Me* was very effective. If I hear that tune ever again, rather than pacify me, it will probably provoke me into doing something that might see me put out at Yatala. That certainly scared people away. I think it was more effective than having guard dogs. When you have heard *Come Fly With Me* 100 times plus you are off flying with the fairies.

The Attorney raised a point about dogs which could be under the supposed control of contractors. We had a recent case down south where the City of Onkaparinga, in conjunction with the NRM board and the state and federal governments, constructed some fantastic wetlands at the northern side of Reynella East College and also on Candy Road. Some of the contractors who were doing that work used dogs.

*[Sitting extended beyond 17:00 on motion of Hon. J.R. Rau]*

**The Hon. R.B. SUCH:** The contractors had dogs behind a fenced-off area to keep an eye on their machinery out of hours, and I think it does raise the point that the Attorney was focusing on. People had concerns about the welfare of the dogs because it was very hot weather. I do not think they are in the same category as a police dog. A police dog, for example, is a highly trained, specialised animal, and I have some concerns about some of these so-called 'guard dogs' which are left in used car yards and contractors' fenced off areas over weekends and so on. I think trying to extend the concept there is inappropriate.

Likewise with Ceduna—I have been there; I think the likelihood of the dogs in Ceduna (if they are still being used) being attacked in the same way that a police dog could be is also unlikely.

Being honest about it, the present of those dogs is often to deter Aboriginal people, and I think it is a slur on Aboriginal people to suggest that they would or are likely to engage in a violent attack on a dog, whether it be a police dog or a contractor's dog in Ceduna or anywhere else.

I agree with the government. I think this issue is best dealt with by restricting the application to specialised dogs, including, obviously, police dogs. I would like to see an extension of this bill and an improvement to the Animal Welfare Act to tidy up some aspects of inspection and protection of animals, because I think the current Animal Welfare Act is lacking. If that act was updated and improved, it certainly could have covered situations that we are now talking about in respect of this bill. I support the government's position in not pursuing the regulation argument but restricting the application of dogs to particular categories, including, as I have said, police dogs.

*Amendment No. 1:*

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

That the Legislative Council amendment No. 1 be disagreed to.

Motion carried.

*Amendment No. 2:*

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

That the Legislative Council amendment No. 2 be agreed to.

Motion carried.

### STANDING ORDERS SUSPENSION

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (17:02):** I move:

That standing and sessional orders be so far suspended as to provide that Private Members Business—Other Motions set down for today have precedence over government business.

**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.

### ROAD SIGNAGE

**The Hon. R.B. SUCH (Fisher) (17:05):** I will just say at the outset it is a bit demeaning that we have to call a quorum so that I can get an audience. I move:

That this house urges the Department of Planning, Transport and Infrastructure to adopt and implement best practice road signage.

In putting forward this motion, I am not trying to suggest that the Department of Transport is not a good department and does not do good things. It is not a general criticism of the department: it is really an opportunity to put forward some matters I have been on about for a while, that is, improving road signage in this state. I notice that a motion coming up shortly from the member for Frome also touches on some aspects of this. This motion is not to criticise the department, but rather to make some suggestions and report on some observations from elsewhere about what I consider to be best practice.

Best practice is a highly subjective term, but I think there are areas in which signage in this state can and should be improved. Under the Australian Road Rules, and expressed in the Road Traffic Act, there are various indicators of signage, road rules and so on, and a lot of people think that throughout Australia there has to be and that there is uniformity in road signage. That is not the case: there is in certain aspects, but it is not an absolute.

For example, if you go to New South Wales, you will find a somewhat different approach to road signage from ours in South Australia, and I will give some examples. Stemming back to the time of the introduction of the 50 km/h default speed limit, here it was decided not to indicate that it is a 50 km/h road. It was taken to be that if there was no sign, then you assumed that it was 50 km/h. That clearly saves money because you do not have to put up signs. New South Wales took a different approach: when you enter a 50 km/h area, they indicate on the perimeter, not inside, that you are entering a 50 km/h zone. If you go through the Blue Mountains and elsewhere,

you will see that they carry out that practice, as they do also in the ACT. They do a lot of other things, and some of them are being adopted here.

The Minister for Road Safety, who is in the chamber, indicated that they are now looking at doing what they do in New South Wales, that is, indicate that there is a change in the speed limit ahead—50 km/h ahead in a town, 60 km/h ahead, and so on. We have traditionally had the phase-down speed advice, but I understand that the department is now moving towards a change in the speed limit ahead—50 km/h ahead, 60 km/h ahead, or whatever. I think that is a very good provision, and they do it quite strictly in New South Wales.

New South Wales has also painted speed limits on the roads, and I have tried to get the department to do it here; clearly, they do not want to. They have claimed that it is unsafe for cyclists and motorcyclists, but there is no evidence to back that up. I met with the officers in the Roads and Traffic Authority, and they said that there is no evidence whatsoever to back up the suggestion that it is dangerous to have painted road signs on the road. They have been doing it for more than 20 years, and they even indicated to me the cost and how long they last. The cost was approximately \$1,000 for a large-size-painted sign on the road and they last seven to eight years. That was according to one of the senior officers in the department over there.

I believe there is merit in having road speed limits painted because motorists are trying to focus on the road ahead and should be looking to make sure they are a two second gap behind the car in front. Obviously they should be looking in their rear-view mirror—doing all of those sorts of things—and watching their speedometer. I think it is asking a lot to expect a motorist to look in their peripheral vision at signs on the side of the road. Often, when there is only one sign, it is not surprising that a lot of them get caught out because they do not realise that they have entered an altered speed zone and they cop a hefty penalty.

I notice in doing some research in relation to this motion that in China they have painted road signs, as do other countries as well, and I think it is a very good and effective measure. I think it would help with adherence to the speed limit.

My view is that a lot of people who cop a traffic fine are not deliberate speedsters; they are people who inadvertently speed. So I think it is fair that people are told by way of a painted road sign. You do not have to do it everywhere. It is more important that you do it when the speed limit drops drastically and you incur a massive fine. You obviously do not have to do it if you are going into a 50 km/h area, but certainly where you go from a high speed limit down to a lower one very quickly I think it is appropriate that the people can see the sign painted on the road and slow down accordingly.

We still have amongst our road signage in Adelaide some inappropriate signage. The Department for Transport is the final arbiter on speed limit signs. They can override councils, and they do. But if you look at close to where we are—Sir Lewis Cohen Avenue in the Parklands—it has a 50 km/h speed limit and if you move up a stone's throw away to Unley Road it is 60 km/h. In my electorate we have Reynell Road which is 50 km/h and then, once again a stone's throw away, you have Kenihans Road which is 60 km/h, even though the two roads both have houses on each side.

I think other members have raised examples here where we do not have consistency of application. We used to have what was called the 85 percentile rule. The speed limit was what 85 per cent of motorists travelled down a road and that was basically the designated speed. Now what we have is a lot of confusion because motorists are travelling through many parts of South Australia confronted with changing speed limits and, as I say, not painted on the road. It has got to the point where people have told me they will not travel through towns like Balhannah because going through the hills there are so many changes in the limit that they do not know what they are supposed to be doing half the time because the speed limits change that frequently from Verdun right through to Mount Pleasant that by the time you get to Mount Pleasant you have a headache and probably a couple of speeding fines.

There are many other examples I could quote where signage is inappropriate and there are some examples where I think a sign is necessary. I was reading the Mount Barker *Courier*, which is an excellent paper, where this week some 'goose' was clocked doing 177 on the freeway somewhere near Callington. It probably wouldn't matter what sign you had up for someone like that, but between where you turn into the freeway at Mount Barker, Mount Barker to Callington, Callington to Murray Bridge, you do not get any reminder speed limit signs. There are always police monitoring speed on that road, at great cost to the taxpayer I guess, but I think that you need

reminder signs. However, the department will not put in a speed limit sign between, say, Mount Barker and Callington or Callington and Murray Bridge. It assumes that when you come onto the freeway that is it. What happens, though, is that people get out there and think 'Gee, I'm out in the middle of nowhere,' and they plant the foot. People need to be reminded of the speed limit.

I have not won that one. I would be prepared to pay for the sign telling people that the speed limit on that freeway is 110. The department has big signs up, sponsored by the Motor Accident Commission, telling people that they are wankers and all that sort of unprofessional language, but it will not put up a sign to remind people what the speed limit is when they get out and there are no houses or people in sight.

We are seeing more and more of the shopping strip speed zones, and I am a great supporter of them. Part of King William Road has just been designated a 40 km/h zone, but there is no neon sign there, as there is on Goodwood Road. Then again, Goodwood Road has a different speed limit to King William Road, in the shopping centre. Likewise Blackwood, which has a shopping zone speed limit, is different from the King William Road one but there is no neon sign, as is the case on Goodwood Road.

As I said, I am all in favour of having those speed limits lowered in shopping areas where you have high pedestrian traffic, but you need to clearly tell people that they are going from a higher speed limit to a lower one. Likewise, around the Showgrounds and other entertainment areas, if you are going to have a much lowered speed limit you need to tell people; you need to indicate, preferably with some of the new technology, the neon signs. That is what I call best practice.

The department has done a good job on Goodwood Road. You can see that, when people see the lowered neon speed limit, they slow down accordingly. There will always be some who do not, but it is very effective. That technology should be used more and more to alert people. Coming into Blackwood, for example, it is a 50km/h zone, but many people do not see the signs because they are in amongst the trees. That just reinforces the point I made before that if it is not painted on the road and you do not have something like a flashing neon sign, you are likely to get people breaking the limit. I think the shopping strip speed zoning needs to be extended, but it needs to be accompanied by properly illuminated signs, so that, if people are shopping on Norwood Parade or wherever, there is recognition that there is a lower speed zone, and there is an appropriate sign to go with it.

I mentioned previously 'Speed limit ahead', and the minister has indicated that his department is looking at introducing more of those. An area that ties in with this is the work zone. The minister has indicated to me that they are looking at the provisions relating to that and the application of work areas and so on. A lot of people are confused by them, partly because contractors often do not put an 'End work zone' sign up. Some of them are also using a sign which, although I am not a lawyer, I doubt is legal. It says 'Work zone ahead' and '25' or '40'. I do not think that is legal, because it would only apply when you are actually at the work zone, not telling people that there is a work zone ahead and then lowering the speed limit at that point.

I question whether that is actually legal. However, the penalty for infringement is very high—it can be \$700 plus—and many people have been caught. For example, near the Britannia Roundabout they think 'Oh, I'm out of the work zone,' and bang, they get hit, because there is no indication that they are still in a work zone.

In New South Wales, in what I call best practice, they are very strict about this. They have very strict rules about the length of the work zone and the signage. It will have 'Speed limit enforced'. In South Australia we get a disregard for some of that signage because sometimes the signs are up but there is no evidence of any work being done, having been done, or likely to be done, so people think 'I'm going to just carry on,' and they ignore the warning signs.

I am told that no-one has ever challenged the work zones in court, but I would welcome the minister and his department having a look at that whole issue, because I think the signage needs to be improved, and I think you will get greater adherence to it because the protection of the workers and the contractors is very important. We do not want idiots going past at a high speed putting workers' lives at risk but, in fairness, the signage should be accurate and appropriate, and there should be an indication when you come to the end of that work zone.

**Mr BROCK (Frome) (17:20):** I also rise to speak on the motion put forward by the member for Fisher and congratulate him for bringing this forward. Firstly, I make it quite clear that this is no reflection on the Department of Transport and I am not saying that they are not doing the

right thing, but I believe that we can always review our operations—and I have said that in this house before—and look at what other people, other states, and other countries do to try and implement and improve not only our road safety but also everything else that goes along with it.

As most members know here I am in a country electorate and I probably do around 70,000 to 100,000 kilometres per annum. I am on the road a fair bit and, as with other country members on this side of the house, I see quite a few what I would call, unsavoury actions from other people travelling on the road. One of the biggest concerns that I have, as the member for Fisher has indicated, is when you are coming into an area and you are doing 110 and, all of a sudden, it goes down to 80 and there is no warning of that. We need to warn people that they are coming into a lower speed limit area, because it is very daunting. I know people who have not been in accidents but they have been pinged for it by the South Australia Police and, rightly so, if that is the way it is, but I think we need to be more realistic about that.

The other issue that I find very frightening is when we are driving on the road (and I will use the area just outside of Crystal Brook on the Augusta Highway) and, all of a sudden, about four kilometres out of Crystal Brook, unannounced on the road ahead are unbroken lines, and an area turning right into Crystal Brook where people can still pass. Then, all of sudden, they get into the area at this particular intersection and, bang, they are onto this broken line, or the section where the lines are for the turn right section, and they do not see it, especially at night time, and that can be very dangerous.

I have seen quite a few near misses, and it is not because of the speed. It is within the speed limit, but because of cars in front—and there might be a caravan doing 80 and somebody will go past that and then, all of sudden, they are in a no-go zone and that is very dangerous. The other issue is that as you are approaching an overtaking lane coming the other way, again, there is no warning to say that there is an overtaking lane coming up within the next 300 to 400 metres. Again, you are behind a slow moving vehicle and then you can go out to pass, and it is still the same thing, and that is pretty evident on the Augusta Highway also.

I have another concern, and I will use Port Pirie for the argument. We have DTEI roads coming into Pirie and then, as you are going into the main city centre itself, you come to the roundabout and you are on a 60 km/h road then, all of a sudden, you go past a roundabout and head towards the CBD area itself, and it goes onto a council road. There is no indication there that as soon as you go past that roundabout you are in a 50 km/h zone, and I have asked the local department there to look at that signage. The signage for 50 is around 400 metres further on, and that is a very confusing issue.

The other issue is that you are going down Three Chain Road in Port Pirie, which is a department road at 60 km/h, and it is double laned, coming into a single lane, but people travelling through there do not realise that when you turn off into one of the residential streets, you are coming into a 50 zone. Again, there is no signage on those arterial roads to say that you are coming into a 50 zone. I know the law says '50 unless otherwise signposted', but people do not understand that. They do not understand the different locations there.

I have travelled overseas—and the member for Fisher has already spoken about painting the speed signs on the road itself—and that is what they have in Scotland. They have the actual speed on the road itself as another warning that you are coming into it. They also have the approaching reduced speed limit painted on the road—that is, three, two or one line, which mean that it is getting closer and closer—and it gives you an indication of how close you are to approaching that reduced speed limit.

The other suggestion that has been made to me is that, when you are approaching an area—for argument's sake, I will use Crystal Brook again—where you are coming into an unbroken-line sector, the lines before that should be painted a different colour. For argument's sake, they are suggesting maybe painting it orange. Again, that is a warning that you are coming into an area where you have a no-overtaking sector. But no matter what we do here, we have to make certain that we are looking at the best practice. As I said, this is no reflection on the department.

The member for Fisher has also mentioned work zones. I see these on lots of the roads out there. They have a zone of 25 km/h, and there is no activity whatsoever. It goes from 110 to 80 to 60 to 40 to 25. I believe those signs are frustrating and annoying to motorists because they know that there is no activity there, especially on weekends, so they get into the habit of ignoring them when the workers are there. I think that is another issue that the minister should take on board. I

also have a motion a bit later about school crossings. Again, the issue there is that there is a lot of confusion about the different style, different speeds and different criteria.

Certainly, I am very passionate, as are other members here, about our roads and our safety on the roads. I do not believe it is always about the speed: it is about the stupid activities, incompetence and inattention of some drivers, and, quite frankly, I think that we need to look at that quite seriously. I certainly commend this motion, and I congratulate the member for Fisher for bringing it before the house.

Debate adjourned on motion of Mrs Geraghty.

### LIQUOR USAGE

**The Hon. R.B. SUCH (Fisher) (17:28):** By leave, I move my motion in an amended form:

That this house urges the state government, in conjunction with the hospitality industry, to investigate the successful measures implemented in Newcastle, New South Wales, to manage liquor usage.

The Social Development Committee has been conducting a lengthy inquiry into the use and abuse of alcohol, and that report, which will be presented to parliament in the not too distant future, will also touch on this aspect, I am sure.

Recently, I visited Newcastle, which is the sixth largest city in Australia. It had the unenviable reputation of the highest rate of alcohol-fuelled violence in New South Wales, it had the highest rate of drink-driving charges and one of the highest rates of assault on emergency workers. Its CBD was attracting around 20,000 'pre-loaded' younger drinkers every weekend from up to 100 kilometres away. That is a lot of young people.

This concept of pre-loading is not completely new but members may appreciate that, nowadays, in order to avoid the high cost in some of the venues, young people (and some not so young) pre-load. That means they have alcohol before they head off for a night on the town. That has been facilitated by cheaper liquor (relatively speaking, to income) and the availability of takeaway liquor. That has a significance in relation to the behaviour as well because, if you are coming into an area and you are pre-loaded, you are probably in some cases close to being intoxicated.

What happened in Newcastle was largely at the instigation of the police. I met with the police there. They received an award from the Australian Institute of Criminology for their role in bringing about the changes to behaviour and the code of consumption of alcohol there. They were supported by some citizens who were concerned about what was happening in terms of people coming into the CBD and acting inappropriately—the same sort of thing we hear here in relation to Hindley Street. In Newcastle, there are quite a few residences through the mall area that are affected by noise and people urinating in the streets—all of the sort of behaviour that is typically associated with people who have been drinking too much and whose behaviour has been affected.

In Newcastle, there have been some claims that it has devastated their licensed premises, and so on, but that is factually wrong. What happened is that the licensed premises in the CBD now close at 3.30am. It was originally proposed to be 3am but the licensed premises argued for 3.30am, and that is what it is. The lockout is at 1.30am. The concept is the same as here, that is, once you leave licensed premises after 1.30am, you are not allowed back into any licensed premises.

I should point out that the licensees in Newcastle in the CBD have developed their own system to help manage the consumption of alcohol in a sensible way. They are all linked by immediate communication, so if they kick out someone the other licensed premises are notified not to let that person in. Also, of their own volition, they have created a photo ID system so that they know the characters coming into their premises, and that seems to be working very well.

They also have other provisions. The last drinks are 30 minutes before closing time. They ban all shots and bombs after 10pm. There are no mixed drinks with more than 30 millilitres of alcohol after 10pm, and they have other restrictions on, obviously, the number of people in premises, and so on. They also have drink marshals who ensure that after 11 o'clock at night people are not served excessive alcohol. If anyone has been consuming too much, they will not be served anymore.

When you put together this package, one of the key elements is the fact that the police there actively intervene. They have more licensing powers than the police here, but they actively intervene. For the size of that area (I think it is about 400,000 people), it is a very small police

establishment. In total, and remembering they have to run shifts around the day, I think it is something like 170 police doing not just this but everything to do with policing. The point made was that a key element is that the police actively intervene: they actively intervene if they see a young, under-age person drunk in a park. I was told by the superintendent that they had recently rung, I think, 43 parents and said, 'Look, your under-age son or daughter is down here, come and get that young person'. If no-one is home, the police will sometimes take that young person home themselves.

They emphasise that the key element is not just having police walking up and down the street, which makes people feel good and gives them a sense of security, but their actively getting involved in this whole process. Outside each licensed premise they have security guards, and I spoke to some of them. Many were teachers doing an extra job; some were student teachers and obviously worked out in the gym, because they were fairly solid lads. Their role was to check people going into any of the licensed premises to make sure they had not had too much to drink already and that they had not taken drugs. They said they were able to pick people who had had too much to drink or had signs of having consumed drugs, and apparently that comes with some training and experience.

Anyone who messes around in or near a licensed premise gets an immediate on-the-spot fine of \$550, and that is enforced, no messing around. If you are causing trouble one way or another, there is an immediate on-the-spot fine of \$550. What has been the result from this Newcastle model, which has been verified by proper studies, is not mickey mouse, but has been peer reviewed and properly researched by Professor Wiggers and others at the University of Newcastle School of Medicine. There has been a 33 per cent fall in alcohol-related, non-domestic assaults, which is a 14-year low.

One of the nightclubs in Newcastle had the highest incidence of violence of any licensed premises in New South Wales (not something to be proud of). There has been a 50 per cent reduction in night-time street crime; a 26 per cent reduction in related hospital emergency admissions; a significant reduction in pre-loading, with young people going to these venues earlier rather than later; and, a reduction in the average levels of binge drinking.

The modest reduction in late trading hours has not only reduced alcohol-related harm but created a safer and more diverse night-time economy with demonstrated net economic benefits. Contrary to claims that it would devastate the licensed premises, there are actually more now than before this program started, which was five years ago. I met with one of the nightclub licensees, an ex-Rugby League player, who owns a couple of the biggest nightclubs, and he said that their business has not suffered at all. In fact, there are some benefits in having shorter trading hours in terms of the cost of staff, and so on.

The City of Newcastle has been very supportive and installed the electronic toilets at the end of the mall near one of the nightclub areas because of the problem of people, usually men, urinating in the street. They put in one of these electronic toilets, which are not cheap—I think it cost something of the order of \$300,000—and it helped address that issue. That is one of the issues raised here in Hindley Street—lack of public toilet facilities late at night that are safe and clean. These electronic ones are self-cleaning and available any time, day or night, and people using them know it will be clean and that they will be safe, and that has been an important element in terms of deterring people from the antisocial behaviour of urinating in public.

There are various reports on the Newcastle experience, and now that model is being replicated to some extent in King's Cross, because it does work. One of the points that was indicated was that you have to introduce it as a package. You need a range of measures with the police actively involved and you need, clearly, the cooperation of all the licensees. As I indicated, they have introduced at their own expense a photographic ID system which seems to work very well.

There are a couple of things that came out of my visit there. I had not thought before—and it does not relate just to licensed premises at night—about the connection between an increase in domestic violence and the ready availability of takeaway liquor, largely because people do not want to be caught drink-driving. There does not seem to be any detailed study on that, but what can happen is that, instead of people drinking to excess in a licensed premises and belting up someone there, they buy cheap, takeaway liquor and go home and belt up their partner or children.

I cannot find any statistical data in relation to that, but I think it is something we should be mindful of in terms of using alcohol appropriately and not, as a result of one action—which is

laudable: to clamp down on drink-driving—create another problem and displace the violence to the home environment, where it is normally the female member and the children who suffer.

I would urge members to have a look at the information. The City of Newcastle has a publication called *Safe Newcastle: Alcohol Management Strategy for the City of Newcastle 2010-2013*. When you get a council that is supportive, when you get licensees who are supportive and when you get the police and citizens actively involved, then you end up with a great result which is better for licensees, better for the patrons and better for the wider community, and there are fewer instances of assault and violence inflicted on people that result in them being admitted to hospital.

I saw someone quoted recently who is involved in the reconstruction of faces and so on—I think the term is incorrect; they are called plastic surgeons—who said that he was sick to death of having to repair people's faces and heads after they have been assaulted or after someone has inflicted terrible injuries on them. I would urge the government here and the opposition, in terms of having a look at their liquor management strategy, to closely examine the successful program in Newcastle.

**Mr GRIFFITHS (Goyder) (17:43):** I am grateful to the member for Fisher for agreeing to a slight amendment to his motion so that instead of 'adopt' it is 'investigate' and, on that basis, I confirm that the opposition supports it. I do not profess to know anywhere near as much about the Newcastle situation as the member for Fisher, but I do respect that the majority of the members of the Social Development Committee went and visited as part of an undertaking of an investigation they are doing.

He has provided the house with some very detailed information about what they have done there in response to what the real concern of the community was. With the consumer and business services shadow portfolio, liquor licensing has actually become a part of my life a bit in recent months. With the late-night trading code and everything—

**The Hon. R.B. Such:** Been to a lot of pubs, have you?

**Mr GRIFFITHS:** No, no; with the late-night trading code, the discussion with the operators has highlighted to me that what South Australia currently has is a result of a lot of negotiation and compromise on what some would like, what others would like and what those who use the entertainment precinct would like, but it is part of the way forward.

I think, though, that the Newcastle experiment actually demonstrates to all of us where there is still a chance for investigation to occur so we can get some best practice in place, but we can ensure that we provide a safe entertainment venue and that is what it is all meant to be. I do respect the Hon. John Rau, Minister for Consumer and Business Services, when he talks about that, and I agree entirely with it. We want to have venues that are fun for people and we want to have venues that attract people, but we have to have venues that are financially viable. Finding that balance is often quite hard.

From some of the research I have done on the Newcastle situation, it appears to me that under the former New South Wales government a trial to restrict alcohol availability was undertaken in Newcastle about five years ago. It was dubbed the 'Newcastle solution.' The member for Fisher has certainly confirmed that the lockout situation occurs from 1.30. Closing time has been brought forward, previously from 5am back to 3.30am. However, with that came a 37 per cent decrease in late-night assaults and a 26 per cent decrease in emergency department admissions in the area. From discussions I have had with those who work in the emergency areas in Adelaide hospitals, that is an important initiative we need to be striving for as well.

It was reported in September of this year by Deakin University Professor Peter Miller, who has studied the Newcastle liquor laws, that the tough restrictions introduced five years ago did have an immediate effect. Professor Miller has no doubt that the early closing times, lockouts and drinking restrictions in Newcastle are working. He states:

It had a substantial effect in terms of fairly immediate results for reductions in assaults and emergency attendances.

It is interesting that the Attorney, when previously talking about liquor licensing in South Australia, as part of his second reading contribution, said, 'There are 12,500 hospital admissions and 600 deaths attributed to alcohol in South Australia per year.' Recent Australian research indicates that it is estimated that 53 per cent of injured persons presenting to hospital emergency departments between the hours of 10pm and 7am had consumed alcohol in the six hours before

that, and South Australia Police data indicates that in 2008-09 in the Adelaide CBD area 58 per cent of victim-reported crime was related to alcohol.

As I have previously said in this chamber, my own son was one of those people who was assaulted. He was not seriously injured, but someone with him was knocked out. My son has, unfortunately, had to live with that although he has not suffered long-term from it. I can reflect on the terrible king hit cases that we have all read about. Sydney has had some shocking examples in recent times and, quite rightly, the community wants to see that prevented from ever occurring again. However, it is linked to alcohol consumption.

In Newcastle, as I understand it, because of the changes implemented, it has resulted in people going to the entertainment venues a bit earlier than they otherwise might have done. They are drinking at the venues and not pre-loading themselves before they go out, and that is helping to control things.

On the basis that this is a notice of motion that says that we investigate and, therefore, I think it helps pursue best practice options, the opposition supports it. We hope that there is an opportunity in future times, as the hospitality industry and the community manage to mature on this, that we do reach a situation that ensures that there is absolute safety for all people who visit entertainment venues.

None of us wants to see anybody get hurt. I think it is beholden on parliament to look at opportunities to see what other areas are doing that are considered to be some of the best practice examples and to try to bring in opportunities to provide our communities with a much safer environment. We support the motion and hope that the government is prepared to indicate its support for it, too, because I think it is a good step.

Debate adjourned on motion of Mrs Geraghty.

### **NATIVE VEGETATION (MISCELLANEOUS) AMENDMENT BILL**

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

No. 1. New clause, page 3, after line 29—After clause 5 insert:

5A—Insertion of section 4A

After section 4 insert:

4A—Interaction with *Fire and Emergency Services Act 2005*

In the event of an inconsistency between this Act and the *Fire and Emergency Services Act 2005*, the *Fire and Emergency Services Act 2005* will prevail to the extent of the inconsistency.

No. 2. Clause 6, page 3, lines 30 to 36—Leave out the clause

No. 3. Clause 7, page 4, lines 1 to 4—Delete clause 7 and substitute:

7—Amendment of section 8—Membership of Council

(1) Section 8(1)(b)—delete 'the South Australian Farmers Federation Incorporated' and substitute:

Primary Producers SA Incorporated

(2) Section 8(1)(f)—delete paragraph (f) and substitute:

(f) 1 must be a person with extensive knowledge of, and experience in, planning, development or mining nominated by the Minister after consultation with the Minister for Planning; and

(3) Section 8(3)—delete 'the South Australian Farmers Federation Incorporated' and substitute:

Primary Producers SA Incorporated

(4) Section 8—after subsection (7) insert:

(8) In this section—

*Minister for Planning* means the Minister who has portfolio responsibility for urban and regional planning within the State.

No. 4. Clause 10, page 4, after line 28—After subclause (1) insert:

(1a) Section 21(3a)—delete 'section 28(3)(b)(iii)' and substitute 'section 28(3)(b)(ii)(C)'

(1b) Section 21(3a)—delete 'section 28(3)(b)(iia)' and substitute 'section 28(3)(b)(ii)(A)'

No. 5. Clause 11, page 6, line 3 [clause 11, inserted paragraph (d)]—

Delete inserted paragraph (d) and substitute:

(d) clearing vegetation by the process commonly known as a cold burn; and

(e) any other matter required by the regulations.

No. 6. Clause 11, page 6, after line 6—After subclause (3) insert:

(4) Section 25(2)(f)—delete 'the South Australian Farmers Federation Incorporated' and substitute:

Primary Producers SA Incorporated

No. 7. New clause, page 6, after line 6—Insert:

11A—Insertion of Part 4A

After section 25 insert:

Part 4A—Credit, assignment and third party establishment of environmental benefits

25A—Credit for environmental benefits

(1) If—

(a) a person—

(i) has achieved an environmental benefit (not being a benefit required in relation to a consent to clear native vegetation or under any other requirement under this Act); or

(ii) has, in accordance with a consent to clear native vegetation, achieved an environmental benefit that exceeds the value of the minimum benefit needed to offset the loss of the cleared vegetation; and

(b) the Council is satisfied that the benefit or excess benefit (as the case requires) is of a significant value,

the Council may, for the purposes of this Act—

(c) credit the person with having achieved an environmental benefit of a value determined by the Council (whether monetary or otherwise); and

(d) take into account and apply the value of the credit (adjusted to reflect the value, in the Council's opinion, of the native vegetation the subject of the credit at the time it is so applied) to—

(i) an amount of environmental benefit the person must achieve; or

(ii) an amount of compensation proposed to be paid into the Fund under section 28(4); or

(iii) an amount to be paid into the Fund under any other provision of this Act as an alternative to achieving an environmental benefit.

(2) In determining the value of an excess benefit contemplated by subsection (1)(a)(ii), the Council must have regard to the approximate difference between the value of the environmental benefit achieved by the person and the value of the environmental benefit that would, in the Council's opinion, have been the minimum the person would have been required to achieve in the circumstances.

25B—Assignment of credit

(1) Subject to this section, a person credited under section 25A with having achieved an environmental benefit (the *assignor*) may, with the written approval of the Council, assign the whole or part of the credit to another person or body (the *assignee*).

(2) An application for approval under subsection (1)—

(a) must be made in a manner and form determined by the Council; and

- (b) must be accompanied by such information as the Council may reasonably require; and
  - (c) must be accompanied by the prescribed fee.
- (3) The Council must not give its approval under subsection (1) unless the assignor has complied with any requirement of the Council to do 1 or more of the following:
  - (a) enter into a heritage agreement in respect of the native vegetation that is the subject of the credit to be assigned;
  - (b) enter into a management agreement under section 25D in respect of the native vegetation that is the subject of the credit to be assigned.
- (4) Before giving its approval under subsection (1), the Council must have regard to any Regional Biodiversity Plan or Plans approved by the Minister that apply within any region relevant to the application.
- (5) An approval may be conditional or unconditional.
- (6) A condition of an approval is binding on, and enforceable against—
  - (a) the assignor; and
  - (b) all owners and occupiers, and subsequent owners and occupiers, of the land on which the native vegetation that is the subject of the assigned credit is growing or situated.
- (7) The Council may, by notice in writing, vary or revoke a condition of an approval.
- (8) An approval remains in force for the period specified by the Council in the approval, or for such longer period as the Council may fix on application by the assignor or assignee.
- (9) The Council must inform the Registrar-General in writing of all conditions imposed under this section that relate to land and must provide the Registrar-General with such further information as the Registrar-General requires to comply with subsection (10).
- (10) The Registrar-General must note the conditions against the relevant instrument of title for the land or, in the case of land not under the *Real Property Act 1886*, against the land.
- (11) The Registrar-General must, on the application of the Council after the variation or revocation of a condition under this section, vary or cancel a note under subsection (10) (but must otherwise ensure that the note is not removed once made).
- (12) For the purposes of this Act—
  - (a) credit assigned under this section will be taken to be credit of the assignee;
  - (b) an assignment of credit that contravenes this section is, unless the Council determines otherwise, void and of no effect.

25C—Achievement of environmental benefit by accredited third party provider

- (1) Subject to this section, a requirement under this Act that an environmental benefit be achieved by a person (the *proponent*) may, with the written approval of the Council, be satisfied by means of the achievement of the environmental benefit by an accredited third party provider.
- (2) An application for approval under subsection (1)—
  - (a) must be made in a manner and form determined by the Council; and
  - (b) must be accompanied by such information as the Council may reasonably require; and
  - (c) must be accompanied by the prescribed fee.
- (3) The Council must not give its approval under subsection (1) unless the accredited third party provider—
  - (a) has entered into a management agreement under section 25D in respect of the native vegetation comprising the environmental benefit; and

- (b) has complied with any other requirements prescribed by the regulations for the purposes of this section.
- (4) Before giving its approval under subsection (1), the Council must have regard to any Regional Biodiversity Plan or Plans approved by the Minister that apply within any region relevant to the application.
- (5) An approval may be conditional or unconditional.
- (6) A condition of an approval is binding on, and enforceable against—
  - (a) the accredited third party provider; and
  - (b) all owners and occupiers, and subsequent owners and occupiers, of the land on which the native vegetation comprising the environmental benefit is growing or situated.
- (7) The Council may, by notice in writing, vary or revoke a condition of an approval.
- (8) An approval remains in force for the period specified by the Council in the approval, or for such longer period as the Council may fix on application by the proponent or provider.
- (9) The Council must inform the Registrar-General in writing of all conditions imposed under this section that relate to land and must provide the Registrar-General with such further information as the Registrar-General requires to comply with subsection (10).
- (10) The Registrar-General must note the conditions against the relevant instrument of title for the land or, in the case of land not under the *Real Property Act 1886*, against the land.
- (11) The Registrar-General must, on the application of the Council after the variation or revocation of a condition under this section, vary or cancel a note under subsection (10) (but must otherwise ensure that the note is not removed once made).
- (12) In this section—

*accredited third party provider* means a person or body accredited for the purposes of this section in accordance with the regulations.

#### 25D—Management agreements

- (1) The Minister may enter into a management agreement with—
  - (a) an assignor of credit under section 25B; or
  - (b) an accredited third party provider of an environmental benefit under section 25C.
- (2) A management agreement may contain such provisions for the management of the relevant native vegetation as the Minister thinks fit, including (without limiting the generality of this subsection)—
  - (a) requiring specified work or work of a specified kind to be carried out in accordance with specified standards on the land on which the relevant native vegetation is growing or situated (the *subject land*); and
  - (b) restricting the nature of work or other activities that may be carried out on the subject land.
- (3) A management agreement attaches to the subject land and is binding on the current owner of the subject land whether or not that owner was the person with whom the agreement was made.
- (4) The Minister may, by agreement with the owner of the subject land to which a management agreement applies, vary or terminate the agreement.
- (5) A management agreement is, to the extent specified in the agreement, binding on the occupier of the subject land.
- (6) The Minister must not enter into, vary or terminate a management agreement under this section without first consulting and obtaining the approval of the Council.
- (7) If the Minister enters into a management agreement, or an agreement varying or terminating a management agreement, the Registrar-General must, on application by the Minister, note the agreement against the relevant instrument of title or, in the case of subject land not under the *Real Property Act 1886*,

against the land (and, subject to an appropriate application under this subsection, must ensure that the note is not removed once made).

(8) In this section—

*relevant native vegetation* means the native vegetation that is the subject of credit assigned under section 25B or that comprises the environmental benefit achieved, or to be achieved, by the accredited third party provider under section 25C (as the case requires).

#### 25E—Register

- (1) The Council must keep a register for the purposes of this Part.
- (2) The register must contain the information required by the regulations in relation to—
  - (a) each credit under section 25A; and
  - (b) each application of credit toward the matters contemplated by section 25A(1)(d); and
  - (c) each assignment of credit under section 25B; and
  - (d) each achievement of an environmental benefit by accredited third party provider under section 25C; and
  - (e) each management agreement under section 25D,
 and may contain any other information the Council thinks fit.
- (3) The register must be kept available for public inspection, without fee, at the office of the Council during ordinary office hours.

No. 8. New clause, page 6, after line 15—After clause 12 insert:

#### 12A—Amendment of section 27—Clearance of native vegetation

- (1) Section 27(1)—after paragraph (b) insert:
  - (c) native vegetation may, subject to subsection (5)(c), be cleared without any other restriction under this Act if the clearance falls within the ambit of subsection (4a).
- (2) Section 27—after subsection (4) insert:
  - (4a) The clearance of native vegetation falls within the ambit of this subsection if—
    - (a) the clearance occurs in the course of clearing vegetation by the process commonly known as a cold burn (being a cold burn conducted in accordance with any relevant guidelines adopted by the Council under section 25); or
    - (b) the clearance is authorised by the relevant Chief Officer under subsection (4b).
  - (4b) The relevant Chief Officer may authorise the clearance of native vegetation under this subsection if the Chief Officer considers—
    - (a) that the clearance is reasonably necessary and appropriate for the purpose of protecting the life, health or safety of any person from a serious risk of bushfire after taking into account any guidelines developed by the Council after consultation with the Chief Officer of SACFS and the Chief Officer of SAMFS; and
    - (b) that it is appropriate to proceed under this subsection rather than the other provisions of this Act due to the circumstances of the particular case.
  - (4c) A Chief Officer may—
    - (a) give an authorisation under subsection (4b) subject to such conditions (if any) as the Chief Officer thinks fit to impose; and
    - (b) vary or revoke an authorisation under subsection (4b) due to a change in circumstances.
  - (4d) A Chief Officer may only delegate a power under subsection (4b) or (4c) to a Deputy Chief Officer or Assistant Chief Officer of the relevant service.
- (3) Section 27(5)—delete "or a heritage agreement that was entered into in compliance with a condition of consent to clear native vegetation under the repealed Act" and substitute:

, a heritage agreement that was entered into in compliance with a condition of consent to clear native vegetation under the repealed Act or a management agreement under section 25D

- (4) Section 27(5)(b)—delete 'a heritage agreement' and substitute:

such an agreement

- (5) Section 27—after subsection (6) insert:

- (7) In this section—

*Chief Officer* means a Chief Officer of SACFS or a Chief Officer of SAMFS (as the case requires) and includes a person for the time being acting in the relevant office;

*fire-control purposes*—these are purposes associated with preventing or controlling the spread of fires or potential fires;

*relevant Chief Officer*, in relation to an authorisation under subsection (4b), means—

- (a) if the relevant land is in a fire district established for the purposes of SAMFS—the Chief Officer of SAMFS;

- (b) in any other case—the Chief Officer of SACFS;

*SACFS* means the South Australian Country Fire Service;

*SAMFS* means the South Australian Metropolitan Fire Service.

No. 9. Clause 13, page 6, lines 16 to 34—Delete clause 13 and substitute:

13—Amendment of section 28—Application for consent

- (1) Section 28(3)(b)—delete paragraph (b) and substitute:

- (b) must be accompanied by—

- (i) —

- (A) if an environmental benefit required under this Act is to be satisfied by the application of a credit under section 25A—

- if the credit has been assigned in accordance with section 25B—a management agreement prepared under section 25D; and
- in any case—
  - information that establishes that the applicant has been credited, in accordance with section 25A or 25B, with having achieved an environmental benefit of a particular value; and
  - information that establishes that the environmental benefit the subject of the credit amounts, after allowing for the loss of the vegetation to be cleared, to a significant environmental benefit; or

- (B) if an environmental benefit required under this Act has been, or is to be, achieved by an accredited third party provider in accordance with section 25C—

- a management agreement prepared under section 25D; and
- information that establishes that the environmental benefit achieved, or to be achieved, by the accredited third party provider will, after allowing for the loss of the vegetation to be cleared, result in a significant environmental benefit; or

- (C) if an environmental benefit required under this Act is to be achieved in any other way—

- a native vegetation management plan prepared by the applicant in accordance with guidelines adopted by the Council under Part 4; and

- information that establishes that subsequent establishment, regeneration or maintenance of native vegetation (whether on the land after the proposed clearance or on other land) in accordance with the native vegetation management plan will, after allowing for the loss of the vegetation to be cleared, result in a significant environmental benefit; or
- (D) information that establishes that it is not possible for the applicant to achieve a significant environmental benefit in the manner contemplated by subparagraph (C); and
- (ii) in any case—
  - (A) the prescribed number of copies of a report relating to the proposed clearance prepared in a form approved by the Council; and
  - (B) such other information as the Council reasonably requires; and
  - (C) the prescribed fee (including the fee prescribed for the report referred to in subparagraph (A)).
- (2) Section 28(4)—delete 'subsection (3)(b)(ii)(B)' and substitute 'subsection (3)(b)(i)(D)'
- (3) Section 28(5)—delete 'subsection (3)(b)(iia)' and substitute 'subsection (3)(b)(ii)(A)'
- (4) Section 28(6)—delete 'subsection (3)(b)(iia)' and substitute 'subsection (3)(b)(ii)(A)'
- (5) Section 28(7)—delete 'subsection (3)(b)(iia)' and substitute 'subsection (3)(b)(ii)(A)'

No. 10. Clause 14, page 7, lines 1 to 35—Leave out the clause

No. 11. New clauses, page 7, after line 35—Insert:

14A—Amendment of section 29—Provisions relating to consent

- (1) Section 29—after subsection (4a) insert:
  - (4b) The Council may give its consent to the clearance of native vegetation that is in contravention of subsection (1)(b) if the Council is satisfied that—
    - (a) —
      - (i) a significant environmental benefit, which outweighs the value of retaining the vegetation, has been achieved and credited to the applicant under section 25A, or assigned to the applicant under section 25B; or
      - (ii) a significant environmental benefit, which outweighs the value of retaining the vegetation, has been, or is to be, achieved by an accredited third party provider in accordance with section 25C; or
      - (iii) a significant environmental benefit, which outweighs the value of retaining the vegetation, has been, or is to be, achieved by or on behalf of the applicant, having regard to the combined value of—
        - (A) the value of any environmental benefit credited to the applicant under section 25A, or assigned to the applicant under section 25B; and
        - (B) the value of any environmental benefit that has been, or is to be, achieved by an accredited third party provider in accordance with section 25C; and
        - (C) the value to any environmental benefit to be achieved through the imposition of conditions and the taking of other action by the applicant; and
    - (b) that the particular circumstances justify the giving of consent.
- (2) Section 29—after subsection (12) insert:
  - (12a) Subsections (11) and (12) do not apply in relation to a consent to which subsection (4b)(a)(i), (ii) or (iii) applies.
  - (12b) The Council must account for the application of any credited environmental benefit to a consent under this Division in accordance with the scheme prescribed by the regulations.

14B—Amendment of section 29A—Avoidance of duplication of procedures etc

Section 29A(2)(b)—delete 'section 28(3)(b)(i)' and substitute 'section 28(3)(b)(i)(C)'

No. 12. Clause 20, page 9, lines 16 and 17—Leave out the clause

No. 13. Clause 23, page 10, after line 41—Insert:

- (6a) In any legal proceedings, an apparently genuine document appearing to be a copy of a management agreement under section 25D certified by the Minister is, in the absence of proof to the contrary, proof of the agreement and its terms.

No. 14. Clause 25, page 11, lines 16 to 26—Delete clause 25 and substitute:

25—Substitution of section 41

Section 41—delete the section and substitute:

41—Regulations

- (1) The Governor may make such regulations as are contemplated by, or necessary or expedient for the purposes of, this Act.
- (2) Without limiting the generality of subsection (1), the regulations may make provision for or relating to—
  - (a) exemptions (conditional or unconditional) from specified provisions of this Act; and
  - (b) fees in respect of any matter under this Act and their payment, recovery or waiver; and
  - (c) fines, not exceeding \$10,000, for offences against the regulations; and
  - (d) expiation fees, not exceeding \$750, for offences against this Act or the regulations; and
  - (e) facilitation of proof of the commission of offences against the regulations.
- (3) The regulations may vary Schedule 1.
- (4) The regulations may—
  - (a) be of general application or vary in their application according to prescribed factors;
  - (b) provide that a matter or thing in respect of which regulations may be made is to be determined according to the discretion of the Minister, the Council or other specified person or body;
  - (c) refer to or incorporate, wholly or partially and with or without modification, a code, standard or other document prepared or published by a prescribed body, either as in force at the time the regulations are made or as in force from time to time.
- (5) If a code, standard or other document is referred to or incorporated in the regulations—
  - (a) a copy of the code, standard or other document must be kept available for public inspection, without charge and during ordinary office hours, at an office or offices specified in the regulations; and
  - (b) evidence of the contents of the code, standard or other document may be given in any legal proceedings by production of a document apparently certified by the Minister to be a true copy of the code, standard or other document.

### **STATUTES AMENDMENT (SMART METERS) BILL**

The Legislative Council agreed to the bill without any amendment.

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

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

Clause 21, page 13, lines 20 to 33 [clause 21, inserted Schedule 2, clause 4]—Delete inserted clause 4 and substitute:

## 4—Driving to participate in activities

(1) For the purposes of sections 75A(21) and 81A(17), driving a motor vehicle by the shortest practicable route between—

(a) a place at which the driver resides (whether temporarily or permanently); and

(b) a place at which the driver engages in recognised activity participation,

for the purposes of the recognised activity participation is driving the vehicle in prescribed circumstances.

(2) In this clause—

*recognised activity* means—

(a) a sporting, artistic, charitable, religious or scientific activity; or

(b) an activity of a kind prescribed by the regulations for the purposes of this definition;

*recognised activity participation* means participation in a recognised activity that is provided or organised by an organisation, association or club (other than participation of a kind declared by the regulations to be excluded from this definition).

**Mr GARDNER:** Mr Speaker, I draw your attention to the state of the house.

*A quorum having been formed:*

Consideration in committee of the Legislative Council's amendment.

**The Hon. M.F. O'BRIEN:** I move:

That the Legislative Council's amendment be agreed to.

**Mr GARDNER:** I am reliably informed that the opposition is okay to let this go through at this stage and I hope that is the case.

Motion carried.

**STATUTES AMENDMENT (OCCUPATIONAL LICENSING) BILL**

The Legislative Council agreed to the bill without any amendment.

**HEALTH PRACTITIONER REGULATION NATIONAL LAW (SOUTH AUSTRALIA)  
(PROTECTION OF TITLE—PARAMEDICS) AMENDMENT BILL**

The Legislative Council agreed to the bill without any amendment.

At 17:53 the house adjourned until Tuesday 26 November 2013 at 11:00.