

## HOUSE OF ASSEMBLY

Thursday, 18 June 2015

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

### *Bills*

#### **NATIVE VEGETATION (ROAD VERGES) AMENDMENT BILL**

##### *Second Reading*

Adjourned debate on second reading.

(Continued from 4 June 2015.)

**Mr VAN HOLST PELLEKAAN (Stuart) (10:32):** I am grateful for the opportunity to briefly conclude my remarks and refer people who are interested in this issue back to the comments I made on 14 May. I do wholeheartedly support the member for Morphett on this issue. There are many facets to it, of course, but it is not about trying to damage native vegetation and it is not about trying to affect any other type of native vegetation or change any other rules to do with it.

I do accept that native vegetation on road verges can form a very supportive habitat for native fauna, but it is also true that it causes a great deal of difficulty with regard to visibility, the likelihood of a fire starting from a road accident, and, perhaps most importantly, it can significantly diminish the capacity for a road to act as an effective firebreak. Of course, if native vegetation, and non-native vegetation for that matter, is cleared from road verges in fire-prone areas, then that road, including the cleared verge, will offer a much better firebreak if (and unfortunately when in many places in South Australia) a bushfire breaks out.

They are the reasons why the member for Morphett has introduced this bill and why I support it. It is about grasses and low shrubs. It is not about trying to cut down significant trees or anything like that on the road verge. There are rules and regulations with regard to offsets which still apply to that. There are council regulations in council areas where that would apply. I think this is unlikely to be an issue in out-of-council areas and regions. I think this is a very sensible proposal that provides some safety to the community in a range of ways which would not be detrimental to our environment or support for native vegetation across the state in general.

**Mr KNOLL (Schubert) (10:35):** I rise today to support this bill. It is something very dear to my heart, in light of the numerous fires that my electorate has been through over the past two years. At the core of this bill that the member for Morphett brings to the chamber is an amendment allowing property owners to clear road verges around their properties to reduce fire risk. This is something hugely important in the eyes of South Australians, especially those who have had to deal with fire recently.

In an article in *The Advertiser* on 3 March 2015, entitled 'Lives Before Trees', comments made by the Motor Accident Commission chief highlighted issues around roadside vegetation. The state Liberals will investigate opportunities for strategic clearing of roadside trees following the deaths of 10 people in tree impacts during the past year. So, that is dealing with it not from a fire perspective, but from a road safety perspective. We understand the environmental and aesthetic value of roadside trees; however, making South Australia's roads safer and protecting lives has to be a greater priority.

I know trees are very important, and I know that native vegetation is something that it is important to South Australians, as is the idea of keeping as much of the pristine environment as we can. Unfortunately, our presence on this earth and the evolution of man means that our environment is not always pristine to the extent that it looks like what it was before modern human civilisation and habitation. This means that we need to work in concert with the land—humans and the environment working in a beautiful symbiotic relationship.

In this case, I do believe that, even though it has been said to me, 'Well, the trees don't move; it is the people who run into them that are doing the moving,' as humans and as users of road

vehicles, and until we can find a better mode of transport (especially in regional areas), it is very important that we value a life to the highest degree. Something as sensible as clearing trees on roadsides seems eminently sensible to me.

Indeed, it is something that people in my electorate have brought to my attention, including a constituent from Williamstown who contacted me earlier this year. He has trees alongside his roads which have been able to overgrow and overhang onto the road, and have been brought down in high winds. He has gum trees that are notorious for dropping branches in drought and in good seasons due to leaf and branch overgrowth. Without maintenance, it is a danger to the public. It is something that my constituent was really worried about, and this was actually pre the Sampson Flat bushfire that went reasonably close to his property.

Leaf and bark build-up is a fire danger, as well as a hazard to other road users. Tree roots running under roads expand and contract with the water supply and can cause bitumen and road problems. Trees regenerate, which results in thick overgrowth that cannot support all the trees, therefore leading to dead trees along the roadside and more fire hazards along the road verges. The clearing of trees and undergrowth away from roadsides is needed, especially throughout forestry areas, to a distance my constituent says 'of at least 30 metres, and preferably 50 metres,' with these areas turned into low-combustible native grasses which could act as both feed and coverage for native wildlife.

My constituent had some very legitimate concerns, and when I investigated and looked through this matter, there was not actually much that we could do. I am excited by the bill that the member for Morphett brings to this place, because this is a very sensible proposition. Can I say that the government and councils, in clearing road verges, do not always get it right, but I would trust property owners in front of their own property to care about their little patch of the earth and to do a good job in making sure that those areas are safe. I think giving them the option to do that is eminently sensible.

However, if I look at it from a fire perspective, this was something that was really brought home during Sampson Flat early this year, especially around national parks. So, out in Humbug Scrub, north of where my grandparents' place is, is an abundance of native forests. There is a road between the fence and the native forest on the inside of the fence line, but just outside the fence line, in between the internal road to the national park and the road, is a series of trees. So, the fire was coming along the range, was burning through all the native vegetation, but because there was not enough distance it actually jumped the internal road, started burning along the road verge and, because of the overhang of the trees, was able to skip to the other side of the road and continue burning on that other side.

The concept that roads should be used as natural buffers to stop fires being able to spread is eroded by having huge overgrowth that allows fire to jump from forest to road verge vegetation to the other side of road verge vegetation, and the fire can continue on its merry way. This is something that will help fix this issue.

I know that it is giving power back to landholders to be able to manage their own property, and I know that that is a very liberal philosophy and very liberal thing to do. I trust and have complete faith in landholders to be able to do the right thing. It is their land, they are the ones who will have to feel the consequence of the pruning they do. If they do a decent job, they may be able to save their house, maybe save their own lives or the lives of their neighbours who may happen to be driving down the street and lose control and crash into one of these trees.

The landholders are the ones with the most to lose in this instance, and they are the ones with the most to gain, so would be the people with the exact motivation to be able to properly deal with roadside vegetation growth in this way. With those few words, I again congratulate the member for Morphett on what is an extremely sensible amendment. It is what private members' time is for, and I urge the government to support the motion so we can see more sensible outcomes and fewer deaths and can reduce the fire risk in country South Australia.

**Mr PEDERICK (Hammond) (10:42):** I certainly support the Native Vegetation (Road Verges) Amendment Bill 2015. It is an excellent bill that has been introduced by the member for Morphett. This bill has been introduced to give management of overgrowth of roadside vegetation,

and also works alongside the fact that many home owners and property owners do not do proper fire preparation on their properties. This puts more pressure on CFS firefighters when there is an alert, and people need to be aware that we need to have proper restrictions in place but also need proper legislative processes so that people will clear native vegetation on a road verge, especially for safety purposes, and to reduce the fuel load on the road verge. The definition in the bill states:

road verge means the area of land adjacent to a public road bounded by—

- (a) the edge of the carriageway of the road; and
- (b) —
  - (i) if the boundary of the property adjacent to the road is not more than 20 metres away from the carriageway of the road—that boundary; or
  - (ii) in any other case—a line running parallel to the edge of the carriageway of the road at a distance of 20 metres.

In the bill there are prescribed limits for the clearing of native vegetation. Any time we talk about native vegetation, whether in this place or out in the community, there are many and varied views. Some people would like to think we live in a pre-farming world and they want native vegetation to be everywhere. We do have a lot of national parks full of native vegetation and we have plenty of roadside mallee, not only in my electorate and into the electorates of MacKillop and Chaffey where I do a lot of my travelling but all throughout the state there is roadside bush and trees. There would be thousands and thousands of hectares of it, if it were put into a measure.

In recent years, we have seen much safety roadwork being done around the place where, perhaps instead of moving some vegetation, Armco barriers or wire rope cabling are put in place on roadside edges. I think it is time we became realistic and realise that perhaps, for safety reasons and fire control reasons, we do have to have some serious and sensible management around native vegetation. I think this is an excellent move by the member for Morphet.

I want to make this point about fires. We had a fire about nine years ago in front of our property at Coomandook and it burnt through a heap of roadside vegetation because it actually burnt through parts of our property. The fire was lit by a lightning strike in scrub behind our property, then it crossed the road and the Melbourne-Adelaide rail line and came over the other side, so trees were burnt on either side of the road. It was a fairly wild thing to control, but we got there, thanks to the CFS and other volunteers.

**Dr McFetridge:** Hear, hear!

**Mr PEDERICK:** Absolutely. The smart thing in latter years, and even now, would have been to cut out those burnt sticks where the mallee was coming back—and a good fire makes mallee come back brilliantly—but you could imagine the howls of people coming down the road, especially if they saw a local MP with a chainsaw cutting down some of that wood. I am sure that is probably not politically correct.

Without naming anyone, a constituent of mine had a fire around the same time, and this was not on that major road. He got out there very quickly to rip down all the burnt sticks, and it looks absolutely beautiful where the mallee has been recharged by that fire going through. However, I guess it is all in the eye of the beholder and how you value that vegetation. It was interesting that I did see a bloke collecting firewood on the edge of the Mallee Highway the other day, but I do not want to get him into trouble.

**Dr McFetridge:** Doing a very good job cleaning it up.

**Mr PEDERICK:** Doing a very good job cleaning it up. We do need to have some sensibilities about native vegetation. Yes, it is a great thing to have. We have not been able to clear in South Australia since around the late seventies, and that is a fair point; it has been pulled up. In farming land, there was some overclearing on some sandhills but then, sadly, we have some very good country we have not been able to clear. However, that is the way it is and people accept that, and there are heavy penalties.

However, in relation to our roads and native vegetation on road verges, there are a range of safety issues, whether it be vision or the fact that people could run into this vegetation and get injured

or, worse, killed. Also, in regard to firefighting, it creates that extra fire threat for people when the Country Fire Service and volunteers have to pull into gear and save lives and property.

I have talked before in this place about where I have seen overtaking lanes on the Dukes Highway put in the wrong place because they did not want to clear native vegetation along a straight, so they would put them on corners, and that has caused many, many accidents. I know one south of Ki Ki, which I have talked about here before, where there would have been at least seven or eight deaths since that was put in. I know it has been there a while.

People just get confused. Not only are they involved in a three-lane highway for a while, but then it just comes to an end as you are coming around a corner. There could be some confusion with overseas drivers who are used to driving on the other side of the road or there could be fatigue, but I do believe it has contributed to road deaths and that is a very sad. I talk to my friends in the CFS who have witnessed these and they are traumatised by them, I must say.

I believe this is very sensible legislation from the member for Morphett. Sometimes you have to take on these tough environmental matters, and I am certainly taking on a couple at the moment. This is something we need to have some sensibility about. I think the Native Vegetation Council many times gets a little bit excited and says, 'No, you can't do that,' but people need to be realistic: these are only roadside verges.

I know that, when councils go trimming roads and use a machine called the Hydro-Ax, they are very particular about where they go to cut out those roadsides, and they are very nervous about going too far because of the penalties. That is fair enough, but there needs to be some latitude. It does not just relate to whether it is a safety issue or whether it is a fire risk issue. There is also the simple fact that, for towing agricultural implements in this day and age, you need to have a decent, wide roadway.

I know what it is like when you have a wide line folded up behind your air seeder, you are going down a narrow road and you have collected a bit of eucalyptus by the time you have come to the end of it, but that is just the way it is. You have to transport your machines. If people do not take the right action and reduce the scrub affecting the road, that is just simply what happens.

We need to have more sensibility about this. We cannot just have this archaic idea that we are going to save every bit of mallee or every light tree along the edge of our highways and roads. We need to be realistic, we need to do it for the people of the CFS and other rescue agencies who have to deal with the trauma of road accidents, whether they be death or injury, and we have to do this for the families of people who have been killed or injured due to the way it has been in the past. It is sensible legislation. I commend it, and I hope it has speedy passage through this house.

**Mr PENGILLY (Finniss) (10:52):** I would like to support the member for Morphett's amendment to this. The member for MacKillop, the member for Mount Gambier and the member for Flinders in the southern portion of his electorate, and I are all in high rainfall areas, and the problems that are brought about by roadside vegetation are a nightmare for us. I have lost count of how many fires have gone along the roadsides through the wick vegetation, but I have also lost count of the idiocy that has been brought on by state government agencies in not realising the common-sense solutions that can be put in place.

A couple of years ago, Mr Peter Whitford, a former mayor of the District Council of Yankalilla, was driving to one of his properties on Pages Flat Road when he came across a group of young people on the side of the road with secateurs. He stopped and asked them, 'What are you doing?' They said, 'We are clearing the blackberry bushes so that we can reduce the fire risk.' He said, 'Why are you doing it with secateurs?' They had been told by the NRM official or whoever was running the program that it was impossible for them to spray along there and that they had to cut the blackberry bushes away one by one. He thought he had never heard of such a damn fool reason in all his life.

It is precisely that sort of thing which has brought about the situation we have today. Right across the Fleurieu, the roadside veg is dense, particularly down along the Range Road section. You only have to go down there and have a look. Over on the other side of my electorate, on the other side of the water, it is even worse. In the last few years, we have seen a program of targeted burning with some fire trials through the *Eucalyptus cneorifolia* or narrow-leaf mallee which has been reasonably successful, but by and large the sides of the roads are untouchable.

The sad reflection of that is that the dead material—the grasses and everything else—builds up so, when a fire goes through, it is very, very difficult to stop. As I said, they act as wicks along the road and these wicks go for 10s and 20s of kilometres and trying to put them out is an absolute nightmare. The only way you can really do it is to bulldoze a pretty large break in and remove vegetation along the side of the road in a hurry to try and break it up. Of course, if some sensible work could be performed on this vegetation, it would make it a whole lot easier.

Mr Andrew Gilfillan of the Cape Willoughby area and Antechamber Bay has started a road safety committee on the island after the death of a lad on Willoughby Road where the driver got out of control and, sadly, a lad from Mount Gambier was killed. The road was that narrow because you could not clear the trees. It has been taken up, and Mr Gilfillan and his group have pushed extremely hard and some work is taking place along that road.

There has to be a common-sense solution to this problem—there has to be. The days of these lunatics in native veg, etc. need to be superseded by common sense. I take my hat off to Mr Dennis Mutton who was there and who did a lot of good, but there are some supercilious, academic, idiotic geniuses in the native veg authority who cannot see the wood for the trees, so to speak, and they cannot see the requirement to make these roadsides safe. They are corridors.

I refer to a case around 20 years ago called the Tin Hut Road case, where the eco action group on Kangaroo Island took the Kingscote council to task for clearance with a bulldozer. The judge or magistrate at the time—I cannot remember which—but the judicial process found in favour of the council and in favour of road safety. Indeed, that was a milestone over there: they have since changed roadside clearance using the Hydro-Ax, which operates, as the member for MacKillop knows, down in the South-East and other places. I took Percy Roberts from Millicent and the current Premier on a road tour a few years ago—

**Mr Treloar:** I think it's where he grew up.

**Mr PENGILLY:** Well, there you go. I took the current Premier when he was minister for the environment for a tour on the island a few years ago and we saw the Hydro-Ax in operation. Percy Roberts nearly had a stroke when the minister got out of the car with me and saw what was going on at the side of the road. But we need a common-sense solution, sensible clearance, reasonable clearance, and I hope that the house supports this bill.

**Mr TRELOAR (Flinders) (10:57):** I rise today to give support to this amending bill and congratulate the member for Morphett. The bill will allow property owners to clean up road verges without having to go through the red tape of cumbersome state government and local government regulations when applying to remove native vegetation.

The aim of the bill is to remove the confusion in relation to where property owners apply so they can clean up road verges and allow them to get on with protecting their properties and, I might add, protecting the entire community by reducing the chance of bushfire and increasing the chances of bushfire survival. Considerable confusion exists because of the current application process, which prevents people from doing the right thing at times because they become too scared to clean up, adding to an already considerable fuel load after a wet winter and above average spring growth. Let's hope that is not the situation again this season, member for Morphett.

This bill allows for what is reasonably required; it does not give a defence for removing significant trees or for desertification of the road verge. I think it is eminently sensible. None of us on this side who are in support of the bill—and I certainly hope the government also see fit to support the bill—denies the importance of roadside vegetation. Those corridors provide for native flora and native fauna biodiversity; sometimes it is also a haven for weeds, but landowners have some obligation to control those weeds and feral bushes. They do provide that corridor for biodiversity.

They also enhance the visual amenity of the landscape, aesthetic appeal, if you like. The loveliest thing about our farm landscape is to see a scattering of trees and often that is along the road corridors, but it is also critical that these corridors are managed appropriately. It has much to do with the risk of fire, but it is also about road safety. I would suggest that a wide road is a safe road on all counts, but I will come back to that later in my contribution. Specifically, this is about fire management and fire control. Often, the native vegetation along roadsides was surveyed in early

days and they were generally one, two or three chains wide. It is an old term, I know, but generally they were 20, 40 or 60 metres wide, so there was ample room for a road and some native vegetation as well.

As well as providing a corridor for biodiversity, it also provides a corridor in which to carry a fire. I have seen how this can occur firsthand. Anybody who has been involved in battling a bushfire in a rural landscape understands full well how quickly a fire can gain control and literally roar along the roadside corridors. Many of these fires start on the roadsides, and I suspect that should we be better able to manage the vegetation and have it in a clearer state, then the risk of those fires proceeding to become greater would be even less.

For me, it is as much about road safety—and I have to say this because I said earlier that a wide road is a safe road and that goes without saying. We are confronted these days with the difficulty in clearing native vegetation. We are confronted with overhang. We are confronted with blind corners. We are confronted with narrow roads. We are confronted with significant trees. Certainly, councils do have some ability to make some roadside clearance, but it comes at a great cost to councils and ultimately a great cost to ratepayers because they have to pay to manage the vegetation on their roads to make them safe, which seems a rather bizarre way of doing it.

I think this bill is very timely because I have been thinking for some time, in fact, that we need to, as a parliament, have a broad review of the Native Vegetation Act. I think it is in some ways a hangover from the mid-1980s when broadscale land clearance was banned, and for better or for worse that is what occurred. Other states have followed, although I think in Queensland some land is still being brought into production. That is what we have, but I think since then we have seen successive governments become progressively more authoritarian and flexible with regard to native vegetation. They wield the big stick and woe betide anyone who bowls over a mallee because it is almost a hanging offence. It is not a hanging offence, but it can cost you thousands of dollars.

I do not believe that we can ever not manage our environment again. I think our species is in such numbers and we make such demands on our environment and our landscape that we can never not manage our environment again, but the days of managing the environment by shutting the gate are well and truly over. I believe it is an outdated notion. Examples of that exist both on land and sea, and our marine park sanctuary zones are a classic example. They have been discussed in the parliament and on the news in recent days, but they will not achieve any environmental outcomes. They will simply have a negative impact economically and I suggest the same occurs on land. I know the member for Stuart has properties in his electorate where the government has brought pastoral properties and literally shut the gate on them.

*Mr van Holst Pellekaan interjecting:*

**Mr TRELOAR:** Yes, the point I was getting to, member for Stuart, is that there is no management whatsoever on these properties. There is no production, nor is there any management, so feral animals, weeds and what have you run rampant. It must be about active management of the environment. It is possible to manage the environment and keep the landscape productive and I have seen this work. It can be productive and sustainable at the same time. Much of our farm landscape has more native vegetation or more vegetation on it than it did 30 or 40 years ago because land managers, landowners, and farmers in particular, have been very active in their revegetation efforts.

I believe a lot of that was down to the Landcare movement, which began in the 1980s and progressed well through the 1990s. It is somewhat sad for me to see that movement decline. Farmers are very conscious of their environment and how important it is to their businesses, so they have been active in fencing off creek lines, revegetating lower producing areas and conserving native vegetation that exists.

A lot of our landscape has more vegetation on it than it did 30 or 40 years ago, and I believe the time has come to give some credit for that. It is time to give credit to land managers, and I include farmers, local government, state governments and even developers who are looking to develop property in this definition of land manager. It is time to give those managers more flexibility and more credit for the work they have done and can do.

Dare I suggest that it may even be time to establish a system of credits. The member for Finnis mentioned Andy Gilfillan. Our Natural Resources Committee visited Kangaroo Island not too

many months ago, and Andy was one of the local producers whom we met with. He flagged this idea, a system of accreditation whereby farmers could be rewarded for the environmental work that they have all done. I must say that the Kangaroo Island landscape is a productive and particularly pretty part of our state.

I think it is worth considering giving accreditation. It could result in greater market access and premiums for produce, and it might even establish a system of credits which can be accrued, banked or even traded. I think we need to develop this into a mature market. Theoretically, such credits could be bought and sold and the entire community would benefit. Offsets are often used by developers to achieve their native vegetation requirements, but by the use of such a system we could achieve a practical solution and deliver practical outcomes.

Ultimately, this could evolve into an environmental stewardship scheme, where producers can gain an advantage in marketing through their accreditation. I think it is worth exploring. I think we need to take any advantage we can in this competitive world and I can certainly foresee a day when our landscape is not just preserved but enhanced, and is productive, sustainable and safe as well.

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:07):** I rise to speak on the Native Vegetation (Road Verges) Amendment Bill introduced by the member for Morphett, which has been admirably supported by members on this side of the house to date. There are a number of things I want and I am going to list them, because it is budget day. I have spoken at length on each of them over the last 13 years, not much of which has been listened to, obviously.

Let's start with the parameters of the failing of the government to actively manage our environmental space and that includes our native vegetation. The overzealous determination to ensure that each tree, although it has a life, is somehow or other sacred and cannot be replaced adequately with other trees being grown I think has been a danger to our environment. I think it has been a danger to our road users. I think it has been an unproductive and unhelpful contribution to those who are trying to work the land for productive purposes, whether that is in farming and agriculture or other value-adding to the land.

These are the things that I want. Firstly, I want there to be sufficient clearance of the road verges as identified for road safety purposes to ensure that, particularly on narrow roads, people can easily traverse those in modern vehicles. Many of them are narrow in the Adelaide Hills area that I represent and in the Kangaroo Island area particularly, from which I have come. It is unacceptable that we have overhang and have to have a fight each time it is necessary to remove a tree to safely deal with that issue.

Secondly, fire management in the Adelaide Hills particularly is a problem, because of the incursion of urban space and urban dwellings and infrastructure flush up against national parks and road verges. That has to be dealt with, otherwise we continue to have unkempt growth and areas along road verges which only hasten both the fire travelling across the precinct and the capacity for people to get access.

Thirdly, I want decent division between national parks and built-up and urban areas. I think there should be at least 100 metres at the edge of those places. I have said this before: it is dangerous to expect our people to go into our emergency services areas without having sufficient area to pass other vehicles or to turn around safely. In the modern large vehicles that we are asking them to take into these areas—including tractors and the like, to clear, when necessary, and to put in firebreaks—it is just unacceptable. That must be dealt with.

For weed and pest management, but weed management in particular, road verges are again places in which there is a multiplication of this problem and a transfer of the problem without management. Why? Local councils say, 'Look, it's not our problem anymore,' and NRM says, 'We haven't got enough money to manage it,' so what do we have? We have a transfer of the uninvited and invasive pests and weeds in our area.

In terms of access through to the paddock, gates have to be sufficient. We now have this nonsense where there can only be access to a farmer's rural property at certain intervals, when there are already established fences and gates onto the road, usually for the purposes of stock transfer or

access. It is just a nonsense to expect landowners, whatever they are doing on their land, to have to go miles around to access their property. It is just unacceptable.

Furthermore, where they do exist, these already provide a helpful firebreak to the road verges for people to be able to perform management with access for those vehicles through a gate, so that you do not have to unnecessarily cut down fences. I have raised all of these things before. I think the time has come when we just have to be able to review that issue.

Secondly, again, this has gone unheard, but I will say it again. I want access to roadside verges for councils to be able to harvest gravel and soil for road building. It is just ridiculous to think that councils—that is, ratepayers—are having to pay for access to landholdings to be able to take gravel where it is on the surface ready to be scraped up, pay money for it, pay for access to it and to remediate the land, to be able to put it on roads, sometimes hundreds of kilometres away. It is just absurd.

They ought to be able to take gravel and soil from the road verges. Sure, they should rehabilitate when the top gravel has been taken and moved along to another spot. I do not have any issue with that, but make it proximate to where the roadworks are. These works are not just one off. The roads have to be maintained regularly, and there should be accessibility and availability for councils to be able to take material from the road verges.

Finally, I want a space in the width of clearance between the boundary fence along the road verges from private or public property into the road verge area. The extent to which the metrage is allowed for the clearance either side of a boundary fence that abuts a verge, which is less than a tractor width, is absolutely ridiculous. How can you possibly build it and maintain it? You can build it just within the limit, but not maintain it and have a reasonable firebreak around it to protect it. It is utterly ridiculous and I want that fixed. That is just my list for this year.

**Mr WILLIAMS (MacKillop) (11:13):** I am pleased to support this matter brought to the house by the member for Morphett. Roadside vegetation has become a real bugbear for people, particularly those living in rural areas. It has become a battleground for the environmentalists. Let me inform the house that some 20 per cent of South Australia is already locked up in our national parks and conservation park system. The Green movement and the conservationists have, over a number of years now, stopped sensible use of our roadsides, because of their desire to preserve native vegetation.

Let me tell the house that I am a strong supporter of preserving our native vegetation. I would hazard a guess that I have probably planted more native vegetation and broader species of native vegetation across the landscape in South Australia than anybody else in the parliament. Some of my farming colleagues may choose to differ on that, but I have spent a lifetime raising native species from seed and planting them, particularly on my farm, where I am undertaking that work continually. Indeed, there will be a lot more native vegetation on the land that I manage and have had the pleasure of managing during my lifetime at the end of that lifetime than there was at the beginning.

I am a strong supporter of replanting native vegetation, and I have argued many times in this place that without managing the existing native vegetation—and some of my colleagues have used the term 'by locking the gate'—when those species come to the end of their natural life, they will not be replaced, particularly on roadsides. In my part of the world the roadsides have been invaded by Australian phalaris and I can assure you not too many native species can compete with Australian phalaris. They just do not germinate and, even if they did under surprising conditions, they would not compete and they would not survive.

The reality is that we can do a much better job managing the roadsides. The member for Morphett brought this matter to the attention of the house mainly because of the fire danger. I recall that many lives were lost in 1983 in my part of the world and some of those were as a direct result of the amount of fuel on the roadside. In subsequent disasters across the state, I believe that has been repeated. I am not sure whether other members have mentioned this, and I apologise if they have, but when I talk to crash repairers in my part of the world—and I do that fairly regularly out of necessity—in the two major towns in my electorate, Millicent and Naracoorte, all of the crash repairers I talk to suggest to me that about 85 per cent of their business is directly related to feral animals jumping in front of cars—



**Mr van Holst Pellekaan:** Native animals.

**Mr WILLIAMS:** Native animals—feral native animals. I know they are native but they are bloody feral.

**Mr Pederick:** Don't worry. I got rid of one of them.

**Mr WILLIAMS:** Yes, Peds cleaned one up near my place—kangaroos in particular, wallabies to a lesser extent, but also feral animals on the Coorong—and I say to people these days I reckon I see more feral deer than kangaroos. Whatever it is, it is an incredible hazard on our roads in country areas and it is exacerbated by the fact that the native vegetation has been allowed to grow close to the road verge, and that causes huge problems for people in most country areas.

There are a number of reasons why this matter should be taken seriously by the house. It would certainly provide an opportunity for us not only to make our roadsides much safer from both fire and native feral animals but also it will give us an opportunity to manage the roadside vegetation in a way that ensures we have a better representation of the native vegetation that was endemic in the various regions across the state before white settlement, and I think that is a very important thing to do.

These ideals are not mutually exclusive. The way that we manage roadsides now assumes that they are mutually exclusive. I can assure the house that they are not. The cost to road building authorities, whether it be the state government, federal government or more particularly local councils, is huge because of the obligations they have in regard to native vegetation. I think that is an outrage, too, and a number of my colleagues have already mentioned that. I give this matter my full support. I would like to see the bill broadened out to achieve some of these other worthwhile outcomes.

**Mr WHETSTONE (Chaffey) (11:19):** I too rise to give support to the member for Morphett's bill, along with many members on this side of the house who have demonstrated their concern about what unregulated native vegetation does on our roadside verges in particular.

In my electorate there are a number of highways, both federal and state, that have native vegetation issues. In particular, our local government roads are continuing to see more and more native vegetation grow, unregulated and out of control in a lot of cases, not only because of their budget constraints but the regulations, particularly from native veg authorities, the EPA and the greenie groups. I notice there are a number of them that get around. They think they are the custodians of keeping our roads, essentially, unsafe, creating bushfire hazards, creating habitat for our native animals.

Just as importantly, and as I think some have mentioned, it is the line of sight, particularly on the local government roads. They are narrow. We are seeing, particularly in my electorate with the closure of grain on rail (it is now going onto road), more pressure on our smaller roads, particularly with transport operators getting from farm to receivals. Without responsible native veg clearance we are going to see more and more accidents.

During my time on the select grains committee there were a number of transport operators who had grave fears for their drivers' safety, particularly trucks passing one another on roads, taking one another's mirrors out, sideswiping one another because they cannot see. There is native vegetation encroaching onto the verge, encroaching almost onto the shoulder of the road in some cases, and that could be alleviated by this simple amendment to the act.

I think it is a sensible amendment. I am disturbed that I have not seen any government members get up and make a contribution because I am sure they would be saying to their constituents that they would like to uphold road safety, they would like to uphold the fire hazards that encroaching native vegetation does have. This is something that has been tried to be addressed many times. I know the member for Morphett has brought this amendment to the house before. As we know, he is a very persistent member and I think he will continue to push this case until he actually gets the amendment up.

So, for those who are listening to these contributions, I think they should be taken on board. They should give consideration to the outcome. It is about responsible vegetation clearance. I have

seen the member for Morphett's wife's property at Meadows and the immaculate condition of his roadside verges and areas. They are clean and they are maintained. It is all about pride. It is all about safety. It is all about reducing fire risk. It is also about helping out CFS volunteers because anyone knows that in fighting a fire, when it comes up to road verges and onto road areas, if that fire hits that road area that has native vegetation and undergrowth it is almost an accelerant. It helps it jump the road and move on into the neighbour's property. So, that is another consideration.

One issue I do have, particularly with one of my federal highways that has, obviously, private property adjoining it with fence lines, is that we see federal highways and state highways actually deviate around native vegetation. In contrast, we see the installation of NBN cables on the sides of all sorts of highways and they just bulldoze straight over the top. I would like to know what the difference is there that they have to build a road (at the cost of millions of dollars) around native veg and yet the NBN just bulldoze straight through.

I know that many people, particularly in my electorate, were the recipients of a lot of firewood, a lot of stumps, a lot of mallee, all for the reason of putting a cable in the ground, and yet when we build a road we go around those same trees. So, it is about responsible clearance. It is about responsible ownership of land. It is about engaging landowners to undertake being tidy and reducing risk. It is about helping out our local government and it is about helping out our state government. It is not just about helping them out and keeping our road verges clear, it is about helping them out with fire safety, that line of sight and, in particular, hitting native animals.

I note that the member for MacKillop is a regular native animal splitter, because he has many native animals down there. I have hit native animals down there, as has he, as has the member for Hammond, as have many people on this side because—

*Mr Pederick interjecting:*

**Mr WHETSTONE:** Well, even the bull bars cannot keep up with it sometimes. As I keep on saying, it really is about responsible land clearing of native vegetation on road verges. It does provide people with the ability to undertake reasonable fuel load reduction; in this case, on those road verges.

As I have said, the road safety issue cannot be talked about often enough. I think we need to keep reminding government, the legislators, particularly people making decisions on the other side of this house, sadly, that the use of hydro axes, the use of rotary saws and mulches, the commercial sector are doing a great job, but there is more to be done and that can be done by private landowners. Giving them that responsibility, there is a sense of pride and a sense of keeping our roadside verges tidy, keeping native animals from breeding and hiding in there so that when the member for MacKillop comes along he does not hit and split another one.

I guess there are many issues when it comes to keeping our roadside vegetation tidy and regulated. I do accept the fact that road verges can provide very important habitat, but we have to have regulated habitat. We can actually keep our roadside verges tidy and we can also have a habitat that is a great home for animals, a great home in the right places, and keep bushfires to a minimum and those fuel loads to a minimum. Again, it is about that line of sight. Those who drive trucks or semitrailers on narrow roads will know how scary it is approaching another semitrailer with overhanging native vegetation, making sure that you do not take one another out on those narrow roads.

Without further ado, I give my full support to the member for Morphett with this amendment to the Native Vegetation Act. If the government were serious about engaging landowners to be responsible, to help reduce the costs of those road verges, to make our state a better and safer state with less fire risk, they will support this motion.

**Mr GOLDSWORTHY (Kavel) (11:27):** I am pleased to speak in support of the bill the member for Morphett brings to the house. Representing an electorate based predominantly in the Adelaide Hills—which, as we all know, is regarded as a high fire risk region, and not only in this state; the whole of Australia regards the Adelaide Hills as a high fire risk region—I like to speak to matters that come before the house that relate to fire management and other issues.

The member for Morphett brings a reasonable proposition to the house, a sensible approach to bushfire management issues. I know that this particular matter, relating to the sensible clearance

of road verges, has been raised by a number of CFS brigade captains within the Adelaide Hills and down the northern part of the Fleurieu. I think the member for Morphett and I have had a conversation with a particular CFS volunteer who has very strong views in relation to this issue.

I recall having meetings and briefings and gathering information, particularly from the previous chief officer of the CFS, Mr Euan Ferguson. Mr Ferguson spoke at length about the need to manage the smaller level of fuel that would allow a fire to catch on and continue, particularly clearing around home properties and things of that nature. The small fuel is probably the diameter of a pencil. Mr Ferguson used to hold up his pen and say, 'This is the sort of level of fuel that will continue a fire burning.' I seek leave to continue my remarks.

Leave granted; debate adjourned.

### *Motions*

#### **MYPOLONGA FRUIT FLY EXCLUSION ZONE**

**Mr PEDERICK (Hammond) (11:30):** I move:

That this house calls on the state government to establish Mypolonga as a fruit fly exclusion zone and commit extra funding to biosecurity measures to protect against fruit fly threats and outbreaks in South Australia.

I rise today to speak on Mypolonga being included in the Riverland fruit fly exclusion zone. In June last year I gave notice to move a private member's motion and called on the state government to include protection for the Mypolonga horticulture area.

The Mypolonga trapping grid was first established in 1991. These traps are positioned on a one-kilometre grid in horticultural production areas, and these are on a 400-metre grid within the township. At present there are 17 sites, each having three traps deployed: one to detect the Queensland fruit fly, another to detect the Mediterranean fruit fly, and the last to detect the exotic fruit fly.

During November to May, these traps are monitored on a weekly basis, and then fortnightly from June through to October. As stated in a previous speech, only one male Queensland fruit fly has been detected, which was on Friday, 26 July 2013. This is not considered an outbreak. An outbreak is only considered when one of the following three scenarios takes place: one gravid female fly is detected, one or more larvae are detected in locally grown fruit, or five male flies are trapped within one kilometre in a two-week period.

After this incident on 26 July, PIRSA (primary industries) warranted that further traps be set up within a 200-metre radius of the detection zone. After this quick implementation of extra traps, no other fruit flies were discovered. PIRSA works with producers to ensure they eliminate any potential of a fruit fly infestation in South Australia.

As part of an industry research and development project previously, the Lower Murray Horticulture Action Committee has been provided with funding from Horticulture Australia Ltd. This grant has helped fund the costs incurred from servicing the traps. It is estimated that the annual servicing cost for these traps ranges from between \$15,000 to \$20,000 per annum. If the fruit fly trapping grid were to be discontinued, many potential risks would follow. These include:

1. Marketing implications for local growers, particularly in accessing, processing and packaging facilities in the Riverland fruit fly exclusion zone;
2. Exposure to host produce travelling along main arterial highways passing within 10 kilometres of the Mypolonga growing area;
3. Increased tourist activities, including houseboats, river sports, paddle boats and general tourism, which may result in infested produce being brought into the area;
4. Prevailing winds potentially carrying fruit fly into the Mypolonga area, losing the protection to the back door of the Riverland;
5. Mypolonga's itinerant population, plus approximately 70 students who travel daily from the Murray Bridge area into Mypolonga to attend the local primary school; and
6. Some possible implications for accessing export markets.

In relation to accessing export markets, in 2013 when the one male Queensland fruit fly was detected, it had many implications for local growers. It was noted that many growers found difficulty when accessing both local and interstate markets as a result of the detection.

The protection from the trapping grids is vital to keep the continued status of a fruit fly free zone in Mypolonga, and in the past a small group of owners have committed to a voluntary per hectare contribution in an attempt to maintain the grid. This voluntary contribution is not enough to fully fund the upkeep of the traps and, as stated by the former minister for agriculture, food and fisheries, the Hon. Gail Gago in another place, the Mypolonga horticulture industry will receive no funding from the Weatherill Labor government in the fight against fruit fly.

If there were to be a fruit fly infestation in South Australia, it could possibly devastate the \$675 million fresh fruit and vegetable industry. At present, the Mypolonga region has access to all domestic Australian markets. This is due to South Australia's fruit fly free status. However, due to Mypolonga not being included in the Riverland fruit fly exclusion zone, it has the potential for Mypolonga to be excluded from export markets that place special recognition on the Riverland fruit fly exclusion zone. This means that access to overseas markets for this production area is restricted due to its not being a fruit fly free exclusion zone.

I would like again to acknowledge the support, technical advice and assistance that PIRSA is providing and has provided to the region. Given the information above, it is clear that Mypolonga is geographically important to the Riverland horticulture industry and metropolitan growers, yet we still have a government that continues to leave the Mypolonga horticulture industry dangling.

South Australians are proud to be the only state or territory that remains fruit fly free on the mainland. If an outbreak was to take place in Mypolonga, it is only a short distance from the fruit fly exclusion zone. It is calculated that the government invests about \$5 million a year to maintain a fruit fly free status in the exclusion zone. The government needs to remember that this could be decimated if an outbreak were to occur in the Mypolonga area.

In closing, I urge the state government to extend the fruit fly exclusion zone by a very minimal distance. This would be beneficial not only for Mypolonga growers but for South Australia as a fruit fly free state. If the government does not make this minor change, it is putting the entire state's horticulture industry at risk. I commend the motion.

**Mr WHETSTONE (Chaffey) (11:37):** I too rise to support the member for Hammond's motion and of course support the idea that we should include the Mypolonga horticulture zone as part of the area that has fruit fly free status in South Australia. I think it is a critical building block to again reassure our international markets, our export opportunities, to have Mypolonga as part of the Riverland area of freedom exclusion zone and it is a critical amendment for the biosecurity of this state.

Too often we hear the Premier, the agriculture minister, the trade minister—every politician in this place—talking about opportunities and how our export economy is going to be one of the saviours of the South Australian economy. For too long we have heard a lot of political rhetoric and a lot of political spin about how we are going to benefit from this clean, green image, yet we see the government do little about supporting it, little about just putting in some extra funding to make sure that this vital piece of international acknowledgement is upheld.

I know that for a long time the good people of Mypolonga have funded their own project with some help from PIRSA, and I think that is widely recognised, but I want to touch on the importance of fruit fly in my electorate. The member for Hammond mentioned the economy in relation to fruit and vegetables, horticulture and wine and that it was looking after about a \$677 million industry. I can assure you that as of this year, with commodity prices looking much stronger, we could be supporting an industry of around \$1 billion in the upcoming financial year.

The small cost of including the Mypolonga area and keeping it as part of the fruit fly free exclusion zone would send a vital message to our international markets, particularly in relation to Mypolonga horticulture produce because much of it does travel to the Riverland to be processed, to be packed, and then put into a logistic chain so that it is sent off to markets, sent off to ports and sent off to the airport for our international markets. So, again, I think it is critically important that it be undertaken.

I work very closely with Biosecurity SA, making sure that people throw out fruit from their vehicles into the biosecurity rubbish bins. I do note that Biosecurity SA is a bit slow on moving with installing deposit bins on the Mypolonga to Mannum road and the Swan Reach to Loxton road. I think that is certainly alarming, but I think that potentially it could be looking at ways of reducing cost by implementing the fruit fly area freedom into Mypolonga and complementing what the Riverland already holds dear to its exporting heart.

We have heard all about fruit fly outbreaks in South Australia, both from the west with the Mediterranean fruit flies, from the east and from the north with the Queensland fruit flies, but it is incredibly important that we uphold and maintain our biosecurity measures, particularly with the pressure from all these neighbouring regions and states because, again, it is putting at risk the advantage we have with respect to our export markets. It is giving some surety that we want to remain fruit fly free.

I think that the current government has realised just how important this is to South Australia. I have been a long-time campaigner with respect to keeping the state fruit fly free and keeping our roadblocks open. I know that, in previous years, we had ministers who wanted to put roadblocks down to business hours. I think that that was absolutely outrageous, but common sense prevailed and we now see that those 24/7 roadblocks are upheld. We see people coming into the Riverland region with fruit and vegetables without receipts, and I urge them to think about the risk they are putting on a huge economy and export industry that is vital to have that fruit fly free tag upon it.

I know that my time is almost up, but I do applaud the member for Hammond's good paper; I think that he has had a little bit of help along the way in getting it up. What I would like to say is that I would like to see common sense prevail. I would like the minister for agriculture to come in here and make a contribution and just acknowledge how important being fruit fly free is; and I think that, by putting another feather in our cap and another arrow in our bow, we will make sure that we uphold our clean, green image, and I think it will be an asset to South Australia and it is an asset to our international image.

**Mr GEE (Napier) (11:43):** I move to amend the motion as follows:

Delete all the words after 'this house' and substitute the following words:

recognises the importance of the Mypolonga fruit fly trapping grid and the other important biosecurity measures the government uses to protect against fruit fly threats and outbreaks in South Australia

The new motion is to read:

This house recognises the importance of the Mypolonga fruit fly trapping grid and the other important biosecurity measures the government uses to protect against fruit fly threats and outbreaks in South Australia.

**The DEPUTY SPEAKER:** We will be getting a copy of that. Will the honourable member be speaking to his amendment?

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! We are getting a copy of the amendment for members, and I have asked the member for Napier to speak to his amendment, which he should do in silence. The member for Napier.

*Members interjecting:*

**The DEPUTY SPEAKER:** Be quiet!

**Mr GEE:** Thank you, Madam Deputy Speaker. Fruit fly is the world's most economically significant horticultural pest. Two significant species, Mediterranean fruit fly and Queensland fruit fly, are present in Australia. South Australia remains the only mainland state or territory which is free of fruit fly. Fruit fly area freedom provides South Australia's horticultural industries with significant benefits as a result of not having to treat produce during production and also by providing access to fruit fly sensitive markets without the cost of pre and/or post harvest chemical or cold storage treatments.

The cost of maintaining area freedom is significant, and the South Australian government invests around \$5 million annually to keep out both Queensland fruit fly and Mediterranean fruit fly.

The Victorian and New South Wales governments have both deregulated Queensland fruit fly in those states, and this places additional pest pressure on South Australia. Fruit fly can only practically enter South Australia as maggots in infested fruit and fruiting vegetables.

The government invests in a ring of protection around our state and around the Riverland production area to stop fruit fly from impacting on our rich production areas and backyard gardens. The ring of protection includes static quarantine stations, random roadblocks, a statewide trapping grid, a fruit fly hotline, community awareness programs, signage and fruit disposal bins. The South Australian government is investing \$3 million in the Sterile Insect Technology facility and research initiatives at Port Augusta and has support from research partners for a further \$22 million in research and development investment over the next five years.

Primary Industries and Regions SA maintains a fruit-fly trapping grid across much of South Australia, comprising around 3,200 trap sites in metropolitan Adelaide, the South Australian Riverland, Ceduna, Port Pirie and Port Augusta. The trapping grid is an important measure in maintaining South Australia's status as the only mainland state recognised as being fruit fly free. It complements other government measures to prevent fruit fly incursions, which include static and mobile quarantine stations, an extensive community awareness campaign, and regulatory control over import of host produce.

The Mypolonga trapping grid was established in 1991 and has always been funded by industry. PIRSA provides in-kind support by way of materials, technical advice and assistance with data management. There are up to 15 orchardists growing potential fruit fly hosts in the Mypolonga area, with around 100 hectares planted to citrus trees. Traps are situated on a one kilometre grid in the horticulture production area and on a 400 metre grid within the township. The permanent Mypolonga trapping grid consists of 17 sites, with each site having three traps deployed: one for Queensland fruit fly, one to detect Mediterranean fruit fly and one to detect other exotic fruit fly. Traps are monitored on a weekly basis during the period November to May and fortnightly during the period June to October.

I am advised that the Mypolonga community has recently been successful in applying for industry funding to continue servicing the Mypolonga trapping grid for the next three years until June 2017. The Mypolonga fruit fly trapping grid is not generally recognised as being part of the Riverland fruit fly exclusion zone; however, New Zealand does accept Mypolonga as being part of the pest-free area for export purposes. A single male Queensland fruit fly was detected in a permanent fruit-fly trap in the Mypolonga trapping grid on Friday 26 July 2013. This detection did not constitute a fruit-fly outbreak. Isolated detections of Queensland fruit fly do occur from time to time.

This year to date, there have been two fruit-fly outbreaks declared in metropolitan Adelaide, in the West Croydon area between Port Road and Torrens Road, and the Hillcrest area along North East Road, east of OG Road. The response involved baiting within a 1.5 kilometre quarantine area for a number of weeks, applying a 15 kilometre suspension area for commercial produce, and at the completion of baiting the release of sterile fruit flies within the quarantine zone to complete the eradication program. Both of these quarantine areas and associated restrictions have now been lifted.

In conclusion, I commend this amended motion to the house by maintaining South Australia's fruit-fly free status. It protects South Australia's \$851 million horticultural industries, provides growers with a \$3 to \$4 per case premium, and supports the government's priority: premium food and wine from our clean environment.

**Mr PEDERICK (Hammond) (11:49):** In no way at all do I support this amended motion, as put up by the member for Napier. I think that that the government is just missing the reality here, that Mypolonga and the horticulture area around Mypolonga is the backdoor to the Riverland. They use Riverland packing houses and processors and I believe that unless the Mypolonga area is brought into the fruit fly exclusion zone we could have a breakout sooner rather than later.

It is interesting to see that the government is quite willing to spend \$5 million on the exclusion zone and would not have to spend a lot more just to include the Mypolonga growers. It seems to be a throwback to when they were protecting the former member for Chaffey. There is just no equity in this. This state has fruit fly free status and it is not assisted by a government that will not match reality

in what the Mypolonga growers' needs are. That is fine if they have negotiated some industry funding and government support until 2017, but in reality what should happen, without a very big hit on the budget, is that Mypolonga be included in the fruit fly and Riverland exclusion area.

I totally reject the amendment. It basically rejects the whole principle of my motion to the house. In saying that, I would also like to note the help and support from the Mypolonga horticulture growers in supporting me in putting this motion to the house, as was indicated by the member for Chaffey. I commend the original motion.

The house divided on the amendment:

Ayes ..... 21  
Noes ..... 17  
Majority ..... 4

#### AYES

Bedford, F.E.	Bettison, Z.L.	Bignell, L.W.K.
Brock, G.G.	Caica, P.	Close, S.E.
Cook, N.	Gee, J.P.	Hildyard, K.
Hughes, E.J.	Kenyon, T.R. (teller)	Key, S.W.
Mullighan, S.C.	Odenwalder, L.K.	Piccolo, A.
Picton, C.J.	Rankine, J.M.	Rau, J.R.
Snelling, J.J.	Vlahos, L.A.	Wortley, D.

#### NOES

Bell, T.S.	Duluk, S.	Gardner, J.A.W.
Goldsworthy, R.M.	Griffiths, S.P.	Knoll, S.K.
Pederick, A.S. (teller)	Pengilly, M.R.	Pisoni, D.G.
Sanderson, R.	Speirs, D.	Tarzia, V.A.
Treloar, P.A.	van Holst Pellekaan, D.C.	Whetstone, T.J.
Williams, M.R.	Wingard, C.	

#### PAIRS

Digance, A.F.C.	Marshall, S.S.	Hamilton-Smith, M.L.J.
McFetridge, D.	Koutsantonis, A.	Redmond, I.M.
Weatherill, J.W.	Chapman, V.A.	

Amendment thus carried; motion as amended carried.

#### SPEED LIMITS

**Mr PEDERICK (Hammond) (11:57):** I move:

That this house—

- (a) opposes mandatory maximum speed limit reductions on country roads when there is no safety-based evidence to support the change;
- (b) calls on the state government to—
  - (i) make public its review into maximum speed limits on regional roads in South Australia;
  - (ii) undertake a comprehensive safety audit of all country roads where the speed limit has been reduced from 110 km/h to 100 km/h in the past four years and, where there is no evidence to support improved road safety outcomes, immediately change the speed limit back;
  - (iii) commit funding to upgrade regional council and arterial roads currently posted at 110 km/h rather than further reduce speed limits; and

- (iv) prioritise regional road maintenance when addressing the \$400 million road maintenance backlog.

I note, after moving the motion, that the backlog is probably at least \$1 billion at the moment. In 2013, the South Australian government made the announcement to review around 200 regional roads. The purpose of the review was to see if there was a need to reduce the speed limit from 110 km/h to 100 km/h. Before this review, many roads within 100 kilometres of Adelaide had already had their speed limits reduced, and many of these roads were in my electorate of Hammond, the seat of Goyder and also many other surrounding electorates.

This is not a decision you can be uncertain about, considering that it is people's lives we are talking about. Something I do not think the state government understands is that it is not the people who are travelling at 110 km/h and doing the right thing who are the issue: it is those who are under the influence of drugs and alcohol or those who drive in a dangerous manner. That is what the government should be targeting and punishing, not law-abiding road users.

Another point I would like to touch on again from when I last spoke on the issue is the choice of some roads that are to be reduced, according to the government, to 100 km/h. I find it very interesting that it has identified certain roads for restrictions when they have had no deaths, no serious injuries and no minor injuries on them in the past five years. This goes to show that the state government has not really done its homework when investigating unsafe roads.

The government advise that they are making regional roads safer, but if you do the math on deducting 10 kilometres, you will find that the government's plan to make roads safer could possibly have the opposite effect. An example of this is the following: people in country areas will be forced to travel longer periods of time, whether it be to get to work, to go home, to shop, to do business, or to visit friends and family. These reductions will keep people on our roads for longer and will result in frustration and fatigue.

If I go into a more in-depth example: a 20-kilometre trip to work (which is quite common in the country) would normally take 11 minutes at 110 km/h. At 100 km/h, the same trip would take 12 minutes. If that is extrapolated across only 5,000 people in the state, it means that country residents are on the road for a combined 83 hours extra per day across the state: 83 hours where fatigue from a hard day's work can set in; 83 hours where a drunk driver has the opportunity to swerve into oncoming traffic; 83 hours where someone high on drugs has the opportunity to total their vehicle and possibly take innocent lives with them. If you want to take this even further, if a family takes a holiday to the city and has to drive 300 kilometres to Adelaide along country roads, then that trip will take an extra 15 minutes.

Moving on, I would like to speak about the recent transfer which Viterra made with their preferred form of transport, especially on the Mallee lines. Prior to the change, Viterra were carting grain via both Mallee rail lines; however, as of 1 August, they will be transporting grain on the Mallee and Karoonda highways. This will have a huge increase on the current traffic flow on these highways.

In my previous speech on this issue, I advised the government that if Viterra were to make this change, these highways would need significant upgrades. Viterra will not use Mallee rail lines from August. This now requires the state Labor government to implement further development and construction on the Mallee and Karoonda highways. This includes shoulder sealing work and overtaking lanes, which are desperately needed each way on both highways to make them safe, with the extra road freight that will come about because of this decision by Viterra.

I believe the government should make use of fixing these roads instead of trying to fix the issue with reducing the speed limit by 10 km/h. They have taken the easy option, but I cannot stress enough that this option is simply nothing other than a short-term fix. The Liberal Party fully supports any measure to make our roads safer, but we do not support measures that target the wrong people in the wrong areas. As I have stated before, this reduction will not serve its purpose, which is to reduce the road toll on our country roads. This is because the Labor government do not understand how regional South Australia works.

A report that was provided by the Murray Bridge council states that failing to look and give way to oncoming traffic, and careless or reckless driving, are the biggest contributors to road accidents, not the speed. I would like to remind the government that speed does not make a country



road unsafe, considering you have road trains travelling at 130 km/h on certain roads in the Northern Territory. You make roads safer by keeping them maintained, not by letting them fall apart and dropping the speed limit, hoping the road toll will reduce.

I just note the recent online survey that the government did, and it was quite biased in its questioning in trying to mandate whether it was just a simple budgetary measure of paying a few million dollars—I think it was \$3 million or \$4 million just to put out a few signposts out rated at 100 km/h instead of the current 110 on these 200 roads throughout the state—compared to what was potentially a \$9 billion upgrade bill.

That just goes to show where the government are focusing their idea with regard to regional roads. They do not want to tackle the issue, they want to make it an easy issue to supposedly fix just by dropping the speed limit. Regional people will not put up with that. Regional people want their roads maintained. They want to be able to move around the state at a reasonable and safe speed to get to where they need to be, and they do not need the easy option. I will certainly be interested if the results of that survey ever see the light of day.

I believe that this reduction in speed limits is unnecessary, and that the government needs to rethink their intentions. I 100 per cent believe that reducing the speed limit will not result in the government's desired outcome. I commend the motion.

**Mr VAN HOLST PELLEKAAN (Stuart) (12:04):** I very strongly support the member for Hammond's motion. I will not read out all of it, but the intent of the motion is made very clear in paragraph (a):

- (a) opposes mandatory maximum speed limit reductions on country roads when there is no safety-based evidence to support the change;

We on this side—and I know members on the other side—support road safety. We want fewer serious accidents and fewer deaths on our state's roads, whether they be city or country roads, but the government is not going about it the right way. To just have blanket reductions across gigantic swathes of regional South Australia is not the way to address this very serious problem.

The police have told us for several years now (and they are right) that there are five key issues that contribute to serious issues and fatalities on our roads: fatigue; not wearing seatbelts; drugs and alcohol; inattention; and the fifth one is speeding.

**The Hon. T.R. Kenyon:** Speed, not speeding.

**Mr VAN HOLST PELLEKAAN:** Speeding, not speed limits, speeding—breaking the speed limit. That is the key issue that really has been missed here.

I could nominate roads where I think there is a good case to be made to reduce the speed limit in my electorate, and I could nominate roads where I think there is a case to increase the speed limit in my electorate. That is the way to go about it, not just to have a blanket ban, not just to say that we are looking at this whole big chunk of geography and we are going to reduce all the speed limits there.

The last time the government actually put out a list of the roads on which they were considering reducing the speed limit, when I went through that list the vast majority of those roads had not had a serious accident or fatality on them in the previous five years. That is a vexed issue, I accept that. You do not want to wait for a tragedy to implement the solution, but you also do not want to penalise people with over-restrictive solutions in situations where those tragedies may or may not happen.

This is an area of extremely serious personal responsibility. Whether a person is driving themselves in their own car, driving their family or driving on certain roads today, or driving a quad road train, the person in charge of the vehicle has to take that responsibility extremely seriously. Just blanket reductions on speed limits will not be the thing that does that. It is the people who are already behaving irresponsibly by falling foul of any of those five things I have just listed, especially the people who are already behaving irresponsibly by driving in excess of the speed limit, we have to address—they are the ones whose behaviours we have to change.

But the people who are already driving at 110 km/h, or just below, who would now, if the speed limits were reduced, have to drive at 100 km/h or just below, are not the at-risk people, especially if they are not falling foul of the other four key issues that contribute to problems in this area. So, I oppose the blanket ban. It would not matter if it were a blanket reduction in a metropolitan or country area: you have to have a good positive reason to do it.

I went to a forum in Peterborough on this topic, arranged by the Minister for Road Safety, and it was very positive. There were probably about 15 of us as members of the public, including myself, mayors, councillors and other local people who came along. The departmental people who came and presented to us did a good job, and I appreciated them sharing that information with us. Probably the most important information they shared with us was when the minister said that there is proof that, where the speed limits have been reduced, road safety has improved. That is very important, but let us delve into that a little bit deeper.

On the specific roads where the speed limits have been reduced, where there has been improvement in road safety on those roads, yes, I would support maintaining the reduction under two other criteria, and I will come to those in a minute. The roads that have had their speeds reduced, where there has been no discernible improvement in road safety those roads should have their limits returned to what they were before.

I also clearly say that it is important to interrogate this road safety data in a bit of detail. It is not good enough to say, 'Here is a stretch of road. The speed limit was reduced, and since then we have seen an improvement in road safety, i.e. fewer serious accidents and/or fewer fatalities.' I know that on the roads where the speed limits have been reduced the road traffic volume has also been reduced.

People in country areas are avoiding the roads where the speed limit has been reduced and they are detouring onto the roads where the speed limits have not been reduced. Of course the traffic volume has decreased significantly on the roads where the speed limits have been reduced, so of course it is quite logical that the road safety may have improved as well. In that scenario, we do not know whether the road safety has improved because the speed limit was reduced or because the people are not driving on that road in the same volume as they did before.

Another important aspect to consider is road safety in terms not just of a stretch of road or the number of vehicles on that stretch of road, as I alluded to a minute ago, but also in terms of hours driven on the road. As the member for Hammond said, if the trip is stretched out and people are spending a bit more time on the road, then it really needs to be compared to usage. I can tell the house that there are roads throughout my electorate that people are avoiding now. All that does is push the risks onto the other roads where the speed limits have not been reduced.

If you push the traffic onto the other roads where the speed limit has not been reduced, of course you are going to have more accidents on those roads, and that falls into the government's trap beautifully. All of a sudden, you have less traffic and fewer accidents on the roads where the speed limit has been reduced, and more traffic and more accidents on the roads where the speed limit has not been reduced. Guess what? They will want to reduce the speed limit on those roads as well. So, it is very important to interrogate this data in great detail.

In summary, reducing the speed limit is not addressing the five key issues the police are telling us are the key issues and it is penalising the wrong people. I will finish by saying that where there is a good, strong, cogent case for reducing a speed limit, and it can be proven that it works on a stretch of road, I would support it.

#### *Parliamentary Procedure*

#### **VISITORS**

**The DEPUTY SPEAKER:** I acknowledge in the gallery today the presence of the former member for Bright and welcome him back to parliament.

#### *Motions*

#### **SPEED LIMITS**

Debate resumed.

**Mr KNOLL (Schubert) (12:13):** I rise to briefly discuss this very beautiful and well-worded motion brought by the member for Hammond.

*Members interjecting:*

**Mr KNOLL:** There is no fitting superlative that we have not tried to use. I know this is an issue we have discussed in this house before, but it bears repeating because it seems that the government is not listening. It does seem that, as often as we stand up here and try to quote stupid things like statistics, common sense or logic, the government is still very willing to go down the path of providing blanket reductions in speed limits for country road users. It does nothing to dispel the notion that the Labor Party is very city centric. It does nothing to dispel the notion that the government does not believe anything exists beyond—I used to say Gepps Cross, but I suppose Curtis Road is probably about where we are at these days with suburban Adelaide to the north.

**An honourable member:** Gawler.

**Mr KNOLL:** Gawler is a separate township, separate from Adelaide, and it is not considered part of suburban Adelaide. That is the way the people of Gawler like it to be, that is the way Mayor Karen Redman would like it to be—and long may it be so. The government, I believe, is taking the cheap way out when it comes to this, because the alternative to just a blanket reduction in speed limits would actually be to invest in country roads, and that is obviously not something they want to countenance.

I find it quite interesting that in this place we have discussed the Transforming Health review and the fact that the government said, 'We are not going to do a review into regional hospitals,' which people in my community are quite thankful for because they are worried that a review of country hospitals would mean closing country hospitals, but they say, 'Actually, people from the country come and use hospitals in Adelaide.' That is true but, by the same token, people in Adelaide also drive into the country. I think it is short-sighted of this government to write off country South Australia in the way that they have when it comes to road funding, because every time a city person drives to visit their friends or family in the country, they realise that there is a lack of investment in regional road funding that needs to be dealt with.

My electorate has huge inconsistencies when it comes to speed limits, and I have spoken quite a lot about that before, especially the beautiful Gomersal Road which has an angelic title and should have, I believe, a more angelic speed limit. It is rated to be a 100 km/h road instead of a 90 km/h road, and I think that sounds eminently sensible, especially when I consider other roads in my electorate that are either 100 or 110.

The thing I think that really bugs country people in this instance is that we get slapped in the face because we do not get a fair shake when it comes to regional road funding when we are dealing with the maintenance backlog, so that is one thing. We in the country develop a bit of an inferiority complex, and we sit there thinking, 'Hang on, why is it that we keep getting forgotten?' That is the first point. The second point is not only do we not get the roads that we deserve but we also get smacked with lower speed limits making our lives a lot less convenient. The point is you are not just smacking us around the head once, you are doing it twice, and that really is unfair to country South Australia.

There is good reason why and good evidence to suggest that simply lowering speed limits is not the complete answer when it comes to road safety. Mid Murray Council is a council that has a lot of roads in my electorate and not much of a rate base to try to maintain them with, and they try to do the best job that they can. In their previous submission on reducing speed limits, they said:

It is strongly considered that information on the contributory factors to the casualties, including fatal serious injuries or minor injuries on all roads listed in the Mid Murray Council for review of speed limits, should be provided prior to any decision on the application of the default speed limit of 100 kilometres on such roads.

This is their way of saying that speed is a factor, speeding is probably a bigger factor, maintenance of the roads is a factor as is fatigue, inattentive driving, and drivers not understanding the terrain that is around. All these factors come into it but, instead of dealing with all of these things, we are just going to focus on speed limits.

The other thing that I do not think ever gets taken into account when looking at reduction of deaths is we look at what the government has done to intervene, and speed limits is obviously the blunt instrument that they are willing to use in this case, but we never consider whether or not factors such as crumple zones in cars, mandatory seatbelts or the greater provision of airbags within cars are also factors. I think, once again, we are focusing on a very short, very blunt instrument instead of considering all the factors that go into crash statistics and issues around that. On that basis, I support the member for Hammond's motion.

**Mr TRELOAR (Flinders) (12:18):** I rise to support the member for Hammond's motion today, and that is:

That this house—

- (a) opposes mandatory maximum speed limit reductions on country roads when there is no safety-based evidence to support the change;
- (b) calls on the state government to—
  - (i) make public its review into maximum speed limits on regional roads in South Australia;

It goes on to talk about addressing the road funding backlog which has been quoted at \$400 million, but I see in the last few weeks that the RAA has upped that identified backlog to as much as \$1 billion. It is an absolute disgrace, and I can tell you that country roads are showing signs of that. Quite simply, infrastructure spend in country areas is most critically spent on our roads because that is our transport corridor. We need that transport corridor to conduct our business and our social activities. It is just so critical that our roads are in good condition, and that we are able to drive effectively and efficiently on them.

I would be very interested to see the review made public because I know full well that every single local government area on Eyre Peninsula—and there are nine—has opposed any reduction in the open road speed limit from 110 km/h to 100 km/h. Thus far, there has been no reduction on the open road speed limit on Eyre Peninsula. I am grateful for that, but I am also not expecting one. Why would the government do it, for goodness sake? There is no good reason, no valid reason to reduce the open road speed limits by 10 km/h where the distances are vast, the populations are sparse and we rely so critically on our cars.

The member for Stuart mentioned the big five: fatigue, seatbelts, drugs and alcohol, speed and inattention which can all contribute to road accidents, road crashes. All are identified as safety issues. The single most important thing any driver can do is drive to the conditions. That is what we should be educating our drivers to do, particularly our young drivers—teaching them to drive to the conditions. If people are able to do that, to pay attention and stay free of drugs and alcohol, then they will drive safely.

My constituents—aside from the local governments—are overwhelmingly in favour of retaining the 110 speed limit. In all the contacts I have had regarding this issue, I have had just one constituent suggesting it should be reduced to 100. My response to that was that there is no obligation to drive at 110; that a person can, indeed, drive at 100 quite safely. There are many caravanners driving around Australia at 80, and they are able to do that quite legitimately.

I must declare an interest in this matter, a selfish interest. As the member for a large regional electorate in the west of the state, I drive at least 50,000 kilometres a year, and that is not counting my drives to Adelaide. I spend a lot of time on the road, as do many of my constituents, going to church, conducting their business and going to sport. I have a theory about that. I think people will drive about an hour and a half to play sport on a Saturday. If that distance is reduced by the time factor, they are not going to go, and some of my constituents are already driving an hour and a half just to play football or netball. So, that needs to be a consideration as well.

It is very important that our businesses can stay competitive, and I think by slowing us down, having us spend more time travelling is actually making us less competitive. I also note that in the states of New South Wales and Queensland in particular, having reduced state highways to 100 km/h, they are actually increasing them again back up to 110 because roads are safe and cars are good. Cars are much better than they ever were; we no longer drive V8 Holdens. There was a time when one could take the top off a bottle with the buckle of the lap belt, but you can no longer do

that. You are surrounded by safety arrangements and highly technical and engineered cars. They are safe.

I close by saying that I support this excellent motion. I asked the government to consider very seriously what they are considering doing here. As I said, I am not expecting them to lower the speed limit on Eyre Peninsula. Why would they? But then again, we have ministers making decisions; ministers who are metropolitan based and actually have somebody else to drive them around.

**Mr PENGILLY (Finniss) (12:23):** I rise to support the motion of the member for Hammond. I think many of the points that have been made this morning will be reiterated but, quite simply, people need to get from A to B in the country. The speed limits on the Fleurieu are all 100 km/h. Speed limits in other parts of my electorate are 110, and more often than not the fact is that I sit on cruise control on 102 or 103, or whatever, and everybody passes me. That is the ridiculous situation we face today.

There is one member of government and an Independent minister who both live in the country, and I would hope that their constituents speak to them in the same way mine speak to me. They say, 'Tell the government to leave the 110 alone. Leave it alone. We have long distances to travel.'

I know that the government talks about the carnage on the roads and the road deaths, but if you start to analyse even this year what has happened, and look at some of the facts to do with some of those accidents, you will see that in a number of cases there are other causes. I think on the long weekend two deaths were caused by not wearing seatbelts. That is not the speed of the vehicle. Modern vehicles are very safe and cars have improved out of sight. I used to drive a 1971 XY V8 Falcon, and compared with what we have today that was like driving something off the ark. I would say to the government, through this motion: if you wonder why country people do not like you, it is because they are sick of being told what to do on everything, of being controlled and of being treated badly and taken for fools.

I am sure that members opposite go out in the country from time to time and drive from place to place; accidents will always happen, but the answer is not to go around dropping speed limits. Indeed, in the Northern Territory they have just put back the open speed limit in a number of places, including north of Alice Springs. A couple of members of our family, my daughter and son-in-law, left the state last week because there was nothing here for them—it is clapped out—and they have gone to Darwin where they have walked into high-paying jobs. They have had a gutful of South Australia, and they talked about this. They had the kids on board and sat on 120 or 130; a lot of the speed limits in the Northern Territory are 130, and there are open sections.

I know others want to speak on this issue, but I make the point on behalf of my constituents that we do not like being told how fast we can drive or having the speed limit reduced. It is a ridiculous assertion. Those of us who drive on the roads at night particularly adapt to the conditions. I drive regularly on roads that have more than their fair share of kangaroos, deer, sheep and cows; there are heaps of them. We drive according to the conditions—you just have to or otherwise you will end up in the scrub or something worse. With those few words, I support the member for Hammond.

**Mr GRIFFITHS (Goyder) (12:27):** I have lived this for 10 years. I was the CEO of the Yorke Peninsula council and a candidate for election in parliament in 2005 when 1,100 kilometres of road were actually reduced from 110 to 100 km/h, with about half of that on Yorke Peninsula and half in the South-East. There was great frustration and it was exemplified by one simple fact. I do not remember his seat, but Michael Wright, when he was the Minister for Transport, he authorised—

**The Hon. T.R. Kenyon:** Lee.

**Mr GRIFFITHS:** Lee, was it, sorry?

**The Hon. T.R. Kenyon:** The member for Lee, yes, Michael Wright.

**Mr GRIFFITHS:** The member for Lee, Michael Wright, authorised expenditure on the upgrade of the coast road from Ardrossan towards the Port Wakefield intersection. It was a fantastic bit of road then and it still is now. The speed limit dropped to 100 km/h before that, but even with the

improved road, with the shoulders being much better, the pavement width and overtaking lanes, there was still no increase in speed, which is just madness to me.

Late in 2011, we were advised that additional reductions were intended to occur within 100 kilometres north of Adelaide, as I understand it, but I still saw no validity in many of the suggestions on that. I am aware of significant pressure brought by the Department of Transport on local government to reduce the speed limit on their roads from 110 to 100. In one council, I think it took three meetings before agreement was finally reached, with a lot of frustration from the council in that case for it to occur, but in early 2012 they were implemented. People contact me continuously about this. They are not happy about it.

I read a quite extensive submission provided by the Minister for Road Safety, minister Piccolo, to the eight councils in the Mid North about the reduction the member for Stuart referred to. It provides a lot of factual evidence but, as I understand it, only one of those eight councils has agreed to support the reduction, and I think that is Wakefield Regional Council; the others are not supportive of it. I read the Port Pirie Regional Council minutes, where the member for Frome is based, which say they do not support it, so it will be rather interesting to see how the member for Frome actually votes because overwhelmingly the councils within his electorate do not support the change occurring.

In 2015 we come to it again. When we had a motion in this house about regional impact assessment statements, I asked the question: is this part of the review being undertaken, because it has a significant effect upon regional people? It is not on the list published on the PIRSA website about whether the impact statements have been undertaken.

The level of frustration that we feel is a real one, and we express it on behalf of the people who speak to us. No matter where we go, this issue is raised with us. It is not from crazy people out there who just want to speed. These are responsible people who want to obey the law, but they want those whom they elect to represent them in parliament to understand the frustration they feel about the implementation of some of these rules.

As I said to the member for Wright when she was the minister for road safety in late 2011 proposing these changes—and I met with the minister then—and as the member for Stuart referred to, it is not speed limits that kill people: it is speeding. That is the key thing and that is attitudinal stuff, and all of society has a responsibility to bring in the control of those who sometimes choose to do crazy things.

I have had terrible accidents in my electorate. We had the tragedy on the June long weekend of three people who died in an accident at an intersection. It was not caused by the infrastructure itself—which is why I have said nothing derogatory about the condition of the road, although I want the infrastructure to be upgraded—but by one person who, it appears, has been charged with crossing the intersection and causing others to deviate to try to avoid an accident but which resulted in terrible fatalities. I support the motion of the member for Hammond. It is an important issue. It reflects what the community expects of us, and I beg the house to support it also.

**The Hon. T.R. KENYON (Newland) (12:31):** Any time we have a road safety debate of any description in this house, it always attracts a lot of speakers—and that is good thing. My experience as minister for road safety for a happy nine months—I say happy, because it may not have been happy for others but I enjoyed it—was that every time I opened my mouth or put out any sort of press release at all about road safety, it caused some sort of debate. That is because people have an interest in road safety, a deep interest in road safety.

We are talking today, of course, about rural roads, and it is a very good thing to be talking about, because 62 per cent of all road deaths in South Australia happen on rural roads. Everyone here knows that 62 per cent of the population of South Australia does not live in rural areas. We are getting a disproportionate number of our road accidents, our road deaths, occurring in rural areas.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. T.R. KENYON:** I do not have the numbers here, but one thing I can tell you is that that is not all city people. In fact, the great majority of those fatalities are regional people, people who

live in the local area and die on local roads. It is not city people who cannot drive and come over and drive around the road.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! Sit down. We have all listened to everyone on my left in silence, and I would ask members to adhere to standing order 142 and provide all members with the same opportunity to speak and to be heard. The member for Newland.

**The Hon. T.R. KENYON:** Thank you, ma'am. A huge factor in this statistic of people dying—mainly rural people dying on rural roads—is speed. It is a factor in approximately 30 to 35 per cent of fatalities across the state. There are a number of reasons for that and a lot of it is just physics, in that if you are travelling at 110 km/h in a 2,000-kilogram car—I have had to do some calculations, so I have assumed a 2,000-kilogram car—you have a kinetic energy of 950,000 kilojoules. If you are travelling at 100 km/h in the same car, you have a kinetic energy of 773,000 kilojoules, which is a difference of 177,000 kilojoules. There is a 9 per cent reduction in speed, so you are travelling 9 per cent slower; there is an 18 per cent reduction in energy—and of course, you double the amount of energy involved in a crash if it is a head-on collision of two cars, so that is approximately 1.5 million kilojoules if two cars are travelling at 100 km/h.

You also have the accepted reaction time for a driver on a country road travelling at a steady speed of around 100 or 110 km/h of about half a second. It can be longer; it can be up to two seconds, in fact, before they react to an incident, but the average and the accepted time is half a second. The difference between how far you travel at 110 and 100 km/h before anything happens—so this is before you start slowing the vehicle down; this is before you hit the brakes, anything like that; before you even take your foot off the accelerator—is 1.7 metres. You travel 15.6 metres at 110 and you travel 13.9 metres at 100: the difference is 1.7 metres. When two vehicles are approaching head on, that is 3.4 metres before anything happens, before you start braking.

Also, and I have not done the calculations for this, when you brake, you do not slow down at a linear rate. You do not slow down evenly. You slow down more slowly to start with and then the rate of slowing accelerates, if that is not a tautology, as you get closer to zero. A reduction of 10 km/h effectively extends your braking time, and it is an exponential change, not a linear change.

One of the reasons that reducing speed limits is effective is that you take energy out of the accident if it occurs. You improve reaction distance, because you are reducing the speed, and you are also able to take more energy more quickly out of the situation, because you are able to brake more quickly and slow down more quickly.

The effect of reducing speeds has been recorded and we have the evidence. A formal study conducted in Victoria in 1992 shows that, when speed limits were increased from 100 to 110 on a number of Victorian regional highways, the result was a 24.6 per cent increase in the crash rate. After two years, the speed limits were reduced back to 100.

When the limit went from 100 to 110, crashes went up 24.6 per cent, but when they reduced them back to 100 after two years, the crash rate decreased by 19.3 per cent—not the same amount, because you are going down instead of up, which, I am sure, members understand. We have a classic study in Australian conditions of an increase and then a reduction on the same roads, and we have seen a massive increase and then a massive decrease in the number of crashes that occurred on those roads.

On 27 May 2015, the Centre for Automotive Safety Research released a report entitled 'Reduction of speed limit from 110 km/h to 100 km/h on certain roads in South Australia: a follow-up evaluation'. It found a 27 per cent reduction in injury crashes on roads where the speed limit was reduced—a 27 per cent reduction for doing nothing other than reducing the road speed limit.

I like driving. I particularly like driving in the country. I find it very relaxing. I very much enjoy going over to see my sister, for instance, who lives on Yorke Peninsula.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. T.R. KENYON:** She regularly abuses me—

**Mr Pederick:** Do you get some lizard races going?

**The Hon. T.R. KENYON:** We did once.

**The DEPUTY SPEAKER:** Member for Hammond, I know it is your motion, but I would ask you to observe 142 and I would ask all other members to observe 142.

**Mr van Holst Pellekaan:** There is enthusiastic support for this.

**The DEPUTY SPEAKER:** It doesn't matter, and I don't need any assistance—142 means you do not interject. Member for Newland.

**The Hon. T.R. KENYON:** As recently as last weekend, in fact, we drove to Victoria. I find it as frustrating as anyone suddenly going from 110 km/h on the South Australian side of the border to 100 km/h, but it is no accident—forgive the pun—that the Victorian road safety statistics are the best in the country.

The number of deaths per 100,000 citizens is around 4.4 or 4.5: ours was in the sevens until recently. I do not have the most recent number with me. They have two things that I think are highly important: one is that they have lower road speed limits and the second is that they have 18 as their driving age. That is a debate for another day, but I urge members to oppose this motion.

**Mr WINGARD (Mitchell) (12:39):** I too rise today to speak in support of the motion put forward by the member for Hammond:

That this house—

- (a) opposes mandatory maximum speed limit reductions on country roads when there is no safety-based evidence to support the change;
- (b) calls on the state government to—
  - (i) make public its review into maximum speed limits on regional roads in South Australia;
  - (ii) undertake a comprehensive safety audit of all country roads where the speed limit has been reduced from 110 km/h to 100 km/h in the past four years and, where there is no evidence to support improved road safety outcomes, immediately change the speed limit back;
  - (iii) commit funding to upgrade regional council and arterial roads currently posted at 110 km/h rather than further reduce speed limits; and
  - (iv) prioritise regional road maintenance when addressing the \$400 million road maintenance backlog.

The road maintenance backlog has now blown out to \$1 billion, as was pointed out by the Civil Contractors Federation only a few weeks ago.

We know that country roads play a big part in road safety, as do all our roads. We have talked about a number of issues. Speed was mentioned as a factor along with drink driving, seatbelts, fatigue and, as we pointed out, the conditions of the road. A number of factors play into road safety, and the rise again this year in the death toll on our roads is very alarming for South Australia. It is a big concern. I think it sits at 44 as of today, up on the same time last year, and last year was another high which is not great. I think both sides of this chamber agree that road safety is vitally important.

One thing I want to point out here, which has been raised here by the member for Hammond, I think is a very fair and reasonable assessment which is about why this evaluation of our roads needs to be done. I am sure even the member for Newland would agree—he alluded to it in his speech—that conditions are a factor, and making our roads safer can help reduce the number of incidents on the road. I have been out recently on our roads in the rural regions and, interestingly, I drove from Meningie to Salt Creek on the one section of road that had road shoulders and had been improved, but the speed limit had been kept at 100 km/h. Speaking to the locals in the South-East, they cannot work out why this is the case, given that the roads either side of this stretch of road were arguably in worse condition but the speed limit was higher.



I read in the *Stock Journal* recently where Michael Lamont pointed out that, up in Booleroo Centre on the way to Jamestown, he found a stretch of road where the speed limits varied. When driving to Hallett, he drove through Burra on the Barrier Highway and found the speed limits around Booleroo Centre to Jamestown varied again. It was the good stretch of road which had the speed limits at 100 km/h and then stretches beyond, which were not as safe, were up at 110 km/h. It is really hard to fathom why roads with good conditions are at 100 km/h and roads with conditions that are not so good are at 110 km/h.

I want to make two more points. On the road from Port Augusta to Port Lincoln, there are no overtaking lanes. A number of our roads need to be improved. I know that we need to get on to other business, so I will sit down, other than to say I support the motion and concur that an overview of all our country roads needs to be done so that they can be assessed and so that we can make that decision on which roads should be at which speed limits because at the moment it is a bit of a dog's breakfast.

**Mr PEDERICK (Hammond) (12:42):** A couple of brief comments before I close the debate on this motion, and that is the simple fact that you cannot analyse all deaths on the road just due to one attribute as the member for Newland just did in recognising speed. He did not talk about seatbelts, inattention, fatigue, drugs or alcohol.

**Mr Treloar:** Or road conditions.

**Mr PEDERICK:** Or road conditions. In saying that, this is a sensible motion. It is a motion that affects the whole state of South Australia, especially country drivers, and there should not be a blanket 100 km/h speed limit on South Australian country roads. I commend the motion.

The house divided on the motion:

Ayes ..... 20  
Noes ..... 20  
Majority ..... 0

AYES

Bell, T.S.	Brock, G.G.	Duluk, S.
Gardner, J.A.W.	Goldsworthy, R.M.	Griffiths, S.P.
Knoll, S.K.	McFetridge, D.	Pederick, A.S. (teller)
Pengilly, M.R.	Pisoni, D.G.	Redmond, I.M.
Sanderson, R.	Speirs, D.	Tarzia, V.A.
Treloar, P.A.	van Holst Pellekaan, D.C.	Whetstone, T.J.
Williams, M.R.	Wingard, C.	

NOES

Bedford, F.E.	Bettison, Z.L.	Bignell, L.W.K.
Caica, P.	Close, S.E.	Cook, N.
Gee, J.P.	Hildyard, K.	Hughes, E.J.
Kenyon, T.R. (teller)	Key, S.W.	Mullighan, S.C.
Odenwalder, L.K.	Piccolo, A.	Picton, C.J.
Rankine, J.M.	Rau, J.R.	Snelling, J.J.
Vlahos, L.A.	Wortley, D.	

PAIRS

Chapman, V.A.	Weatherill, J.W.	Hamilton-Smith, M.L.J.
Koutsantonis, A.	Marshall, S.S.	Digance, A.F.C.

**The SPEAKER:** The result of the division is that there are 20 ayes and 20 noes and I cast my vote with the status quo, the noes.

Motion thus negatived.

### COMMISSIONER OF POLICE

**The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (12:53):** By leave, I move my motion in an amended form.

That this house—

- (a) congratulates the Commissioner of Police, Gary Burns BM APM, on his 43 years of service to the people of South Australia through his work in South Australia Police;
- (b) recognises that over the past three years as commissioner he has led South Australia Police with distinction; and
- (c) congratulates the incoming Commissioner, Grant Stevens, and incoming Deputy Commissioner, Linda Williams, and welcomes them to their positions.

I have amended the motion by adding part (c). When the motion was originally to be moved those two positions were not known.

One early morning in the middle of July 2012 Gary Burns packed up his desk and walked the few metres to his new office to take up the role of South Australia's 20<sup>th</sup> Commissioner of Police. At the time, Commissioner Burns said that his vision was to lead a visible and responsive police service. The key decisions and directions of SAPOL in his three years as Commissioner have been underpinned by this vision.

In his 45-year career at South Australia Police, Commissioner Burns has worked across a range of operational, policy and executive areas. After graduating in 1972 he served in uniformed patrols both in city and country locations and the STAR Group, where he ultimately rose through the ranks to become the officer in charge. In 1991 he was promoted to inspector and in 2000 he was appointed to the Senior Executive Group. He served as the assistant commissioner in the Operations Support Service, the Human Resources Service, the Southern Operations Service and the Northern Operations Service.

As commissioner, he has continued to provide outstanding leadership and drive major organisational reform, which has revitalised and provided new direction and achievement for SAPOL and the community of South Australia. His vision, inspiration, commitment and leadership has seen SAPOL become an organisation committed to innovation and change, resulting in significant reductions in crime, vehicle collisions, road fatalities and major improvement in the delivery of policing services in South Australia.

Amongst his many personal achievements, Commissioner Burns was awarded a Bravery Medal in 1978 after he entered a burning house to save the life of a resident. He is also the recipient of the Australian Police Medal, the National Medal and the SAPOL Service Medal.

Recognising his contribution to policing at both the local and national level, he is widely respected by SAPOL members, other policing jurisdictions, the community of South Australia and other government agencies. His outstanding leadership has seen SAPOL continue to develop into an organisation which is held in the highest regard as an accessible, visible and responsive police service for all South Australians.

In my time as police minister, I have valued his knowledge, professionalism and leadership and never had doubts of his resolve to keep South Australia safe. He has acknowledged that at the forefront of every aspect of good policing are good people, whether it is when officers are chasing down offenders, comforting victims of crime, talking to community groups, running complex investigations or offering advice to the public.

In his three years, he has helped implement a range of new technical innovations to free police from their desks, including introducing mobile data terminals, tablets and fingerprint scanners, and cutting back paperwork duplication. He understood that 'meaningfully engaging with the community' will build on that precious commodity of community trust and confidence.

Commissioner Burns will retire on 20 July 2015 after a distinguished career. His strong leadership has fostered a strong leadership team, ensuring that SAPOL will be left in safe hands. I

am confident that incoming Commissioner Grant Stevens and incoming Deputy Commissioner Linda Williams will continue to deliver a first-class police service to the people of South Australia. On behalf of the government, I would like to wish Commissioner Burns and his family the best into the future.

**Mr GARDNER (Morialta) (12:57):** It is with great pleasure that I rise on behalf of the opposition to support the motion. I indicate that, as shadow minister, I have enjoyed a terrific working relationship with Commissioner Burns, as indeed have the members for Stuart and Morphett (as shadow ministers) prior to me. Were it not for the late hour of this debate, where we have only two minutes until the closure of private members time, I know that those two members in particular would have very much enjoyed the opportunity to rise to express their personal appreciation, as well as on behalf of the opposition.

Gary Burns started his career in 1969. He has provided the South Australian community with 46 years of exemplary service in a range of positions within the South Australian police force. He was the dux of his commissioned officers course in 1991 and he was the first STAR Group officer to take the job of Commissioner of Police. In 1978, as a 25-year-old constable, he received the Australian Bravery Medal for saving two elderly women from a burning cottage. He is a recipient of the South Australian Police Medal and a member of the National Counter-Terrorism Committee. His family is a proud policing family. His grandfather, his son, and his wife have contributed to the police force. We are grateful for his service.

We are also pleased to support the motion and the appointment by the minister of current Deputy Commissioner Grant Stevens as our new police commissioner and Assistant Commissioner Linda Williams as South Australia's first female deputy police commissioner in the 100<sup>th</sup> anniversary year of women in the South Australian police force. They all have a great deal to be proud of.

I am pleased that we have the opportunity to pass this motion in the house this morning, with 10 seconds to go, I think. I urge all members to support this motion.

Motion carried.

*Sitting suspended from 12:59 to 14:00.*

#### *Bills*

### **STATUTES AMENDMENT AND REPEAL (BUDGET 2015) BILL**

*Message from Governor*

His Excellency the Governor, by message, recommended to the house the appropriation of such amounts of money as may be required for the purposes mentioned in the bill.

### **VICTIMS OF CRIME (COMPENSATION) AMENDMENT BILL**

*Message from Governor*

His Excellency the Governor, by message, recommended to the house the appropriation of such amounts of money as may be required for the purposes mentioned in the bill.

#### *Petitions*

### **COUNCIL RATE CONCESSIONS**

**Mr GOLDSWORTHY (Kavel):** Presented a petition signed by 1,235 residents of South Australia requesting the house to urge the government to retain and index state government concessions on council rates.

### **COUNCIL RATE CONCESSIONS**

**Mr VAN HOLST PELLEKAAN (Stuart):** Presented a petition signed by 1,235 residents of South Australia requesting the house to urge the government to retain and index state government concessions on council rates.

*Parliamentary Procedure***PAPERS**

The following papers were laid on the table:

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

Chief Public Health Officer's Report on the South Australian Public Health Act 2011—  
dated July 2012—June 2014

Chief Public Health Officer's Summary Report on the South Australian Public Health Act  
2011—dated July 2012—June 2014

By the Minister for Education and Child Development (Hon. S.E. Close)—

Department for Education and Child Development—Annual Report 2014

*Question Time***TORRENS BUILDING**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:04):** My question is directed to the Deputy Premier and Minister for Planning. Why is the Torrens Building being included in the sale of the state administration precinct when it was specifically excluded when the sale of the precinct was first proposed and the market sounding conducted?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (14:04):** Thank you, Mr Speaker, and I thank the honourable member for her question. I suspect that this is a matter which is more properly directed to the Treasurer, and I do not know off the top of my head what the answer to that is, but I will try to ascertain whether Renewal SA does have any information about that and I will get back to the honourable member.

**TORRENS BUILDING**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:04):** I have a further question to the Minister for Planning. Under the state government's plan to sell the Torrens Building and then lease it back, who will be liable for the paying of the lease? Will that be the government or the businesses that are currently operating in the building?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (14:05):** Well, likewise, I do not have any present knowledge about the detail of that matter but I will seek to find out. I do seem to recall that the tender process and the general market process was something that was driven from Treasury, if I recall correctly. It may be, as I said before, that Treasury may be the appropriate agency to provide that answer, but I will take it on notice.

**TORRENS BUILDING**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:05):** Again to the Minister for Planning: who will maintain the leases for the Carnegie Mellon and Torrens University now that the government plans to sell the Torrens Building in Light Square?

**Mr Pisoni:** Victoria Square.

**Ms CHAPMAN:** Victoria Square, I am sorry.

**The SPEAKER:** Victoria Square, isn't it?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (14:05):** It is in Victoria Square; it is still there. Again, off the top of my head, I am not able to assist the deputy leader with an answer to

that question, although my assumption would be that there would be no disturbance of whatever the prevailing arrangements are between those institutions and the government, but I will have to check that and I will get back to the honourable member.

#### TORRENS BUILDING

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:06):** If I may just have a supplementary, sir?

**The SPEAKER:** Yes.

**Ms CHAPMAN:** To the minister whoever has responsibility, and I think that the Minister for Corrections has the responsibility for the minister in another place, the Hon. Gail Gago. Would the minister inquire as to her knowledge in respect of the leasing arrangements and any benefits for Carnegie Mellon and Torrens University?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (14:06):** I will take that question on notice as the others have been taken.

#### AMBULANCE SERVICES

**Mr WILLIAMS (MacKillop) (14:06):** My question is to the Minister for Health. Given that the cost of ambulance inter-hospital transfers are currently covered—I am sorry, I will start that again. Given that the cost of ambulance inter-hospital transfers are currently covered by SA Health, will the cost of—

**The Hon. P. Caica:** Start again, Mitch.

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

*Members interjecting:*

**The SPEAKER:** The member for MacKillop.

*Members interjecting:*

**The SPEAKER:** The member for Colton's attire is not a fit topic for question time. He is not responsible to the house. The member for MacKillop.

**Ms CHAPMAN:** Mr Speaker, we just spent two days debating a bill in which jewellery and attire were the subject of criminal prosecution. It certainly is.

**The SPEAKER:** The member for MacKillop.

**Mr WILLIAMS:** Sir, I think I will start yet again. Given that the cost of ambulance inter-hospital transfers are currently covered by SA Health, will the cost of the additional travel time of ambulances diverted past the downgraded emergency departments be picked up by SA Health?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:08):** No. We have certainly put more budget provision in for ambulance services as part of our costings of Transforming Health because we expect that there would be some additional ambulance activity, but, in any case, I will check out the costing structures for ambulances. If I am correct, I am pretty sure it is a flat fee. At least the distances would be so negligible it certainly would not have an impact in any case on the amount that someone was charged.

I guess that the short way to answer the question would be is that I would not expect there to be any additional cost to someone who is being transported by ambulance to hospital by the fact that they might have to go a little bit further. I would be very, very surprised. I will double-check that, but I could pretty much reassure the house that there would not be any additional cost because someone was taken past the closest emergency department to go to the correct emergency department to be able to give them the appropriate treatment.

**AMBULANCE SERVICES**

**Mr WILLIAMS (MacKillop) (14:09):** Again, my next question is to the Minister for Health. On 24 February, the minister told the house, in answer to a question about who will pay ambulance transfers from Noarlunga's walk-in clinic to the Flinders Medical Centre, that it is inter-hospital transport and in the normal course of events that would be covered by SA Health.

In reality, an inter-hospital transfer is only covered where a patient has been admitted to the hospital. So, what is the circumstance when somebody turns up at the ED of, say, Noarlunga after it's been downgraded and then taken by ambulance from there to Flinders Medical Centre when they haven't been admitted to Noarlunga Hospital?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:10):** Well, let's be quite clear: that's happening at the moment and has for a long time. People have been transferred by ambulance from Noarlunga Hospital to the Flinders Medical Centre. There's nothing new in that, that's something that has always happened.

I will double-check, but I'm pretty sure that when someone is transferred in such circumstances they are not charged for that ambulance trip, that that is a cost which is borne by SA Health and will continue to be borne. As I say, there's nothing new in that. People are transferred by ambulance from emergency departments every day in South Australia, including from country hospitals and from emergency departments that aren't able to give them the appropriate treatment. That's something that is the case at the moment; there's nothing new in that.

**AMBULANCE SERVICES**

**Mr WILLIAMS (MacKillop) (14:11):** Supplementary, sir: for absolute clarity, if a patient turns up at the Noarlunga emergency department and told immediately that they should be presenting to the Flinders emergency department, not admitted, not even triaged, but then put in an ambulance, is the cost of that ambulance service covered by SA Health?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:11):** That would just never happen. You are never ever going to have a circumstance where someone is so seriously ill that they present to the Noarlunga emergency department and the nurse doesn't even look at them. That's just ridiculous. They are never ever going to do that. They are never going to say, 'You're so sick we can't even look at you.' They are going to give you some initial treatment. Generally, I imagine, they will take you into the resuscitation bay and attempt to stabilise you before you are transferred.

I cannot envisage there ever being a circumstance where a decision was taken that someone had to be transferred because the emergency department they had presented to wasn't able to look after them, where they would not even be looked at. In any case, unless there was an ambulance on the premise that was ready to go, it would be some time before an ambulance presented to transfer that person. Again, in those circumstances they are not going to leave you sitting there while you are having your heart attack, or your stroke, or you are bleeding to death and refuse to give you any sort of treatment.

**AMBULANCE SERVICES**

**Mr TARZIA (Hartley) (14:12):** My question is to the Minister for Health. Considering that a 2011 Heart Foundation survey of South Australian, Victorian and New South Wales patients found that for 20 per cent of the patients presenting to hospital with suspected coronary problems who did not come by ambulance cost was a key reason for not doing so, what modelling has the government done on the impact of its emergency department changes on health outcomes of the uninsured?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:13):** Did the member for Hartley say this was something that was done in Victoria? Did I hear him correctly, or are we talking about a South Australian survey?

*Mr Tarzia interjecting:*

**The Hon. J.J. SNELLING:** I'm not familiar with the survey that was done. I am more than happy to have a look at it and see what relevance it has. But there can be no doubt that if you are having a heart attack the best place for you, other than obviously an emergency department, is in the back of an ambulance because your treatment will begin as soon as the ambulance picks you up. Often, paramedics are basically able to diagnose that you are having a heart attack, notify the emergency department that they are taking you to that they have a heart attack patient in the back of the ambulance so the emergency department is ready and waiting for them.

That doesn't happen if you self-present, so your outcome is often going to be worse than if you had called an ambulance. We always encourage people to call an ambulance and, indeed, it is certainly dangerous to drive yourself and certainly not recommended to get someone else to drive you if you suspect you are having a heart attack.

Lots of heart attacks are able to be relatively easily diagnosed with an ECG. There are some patients who are having a heart attack where it is not so clear that it is a heart attack, and they require further tests that I think take some hours. Noarlunga Hospital is able to deal with those patients. They take care of those patients and they do the relevant tests to determine whether it is a heart attack that they are having, because I think these tests can take some hours, and then, if it is confirmed that they are having a heart attack, only then do they transfer them up to Flinders Medical Centre. We encourage people to get an ambulance and not self-present if they are in any doubt as to whether or not they are having a heart attack.

#### **BRIGHTON ROAD RESURFACING**

**Mr SPEIRS (Bright) (14:15):** My question is to the Minister for Infrastructure. Can the minister explain why, when a two-kilometre stretch of Brighton Road was resurfaced between Brighton and Seacliff Park, only one side of the road was resurfaced, leaving the side which was arguably in poorer condition unimproved?

*Mr Goldsworthy interjecting:*

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (14:15):** Can I thank the member for Bright for his question. He is nothing if not assiduous in raising issues which are of concern to his community, and I am glad to receive the question. Often, I find that question time can be tense and nerve-wracking, but one thing that does help is the warm, benevolent, bovine-like mooing that I get from the member for Kavel when a question is put to us. That tends to settle things down.

**The SPEAKER:** The minister will withdraw and apologise for 'bovine-like mooing' of the member for Kavel because—

**An honourable member:** It's a tautology.

**The SPEAKER:** Well, there is that, but it has also always been unparliamentary to characterise another member as an animal.

*Ms Chapman interjecting:*

**The SPEAKER:** I'm waiting for the withdrawal and the apology first.

**The Hon. S.C. MULLIGHAN:** I unreservedly withdraw and apologise to the member for Kavel, Mr Speaker.

**The SPEAKER:** Deputy leader, point of order?

**Ms CHAPMAN:** My point of order is in relation to the matters which are the purview of the minister. His emotional state is not a matter of ministerial interest or relevance to this debate.

**The SPEAKER:** Well, that's a superfluous point of order. Minister.

**The Hon. S.C. MULLIGHAN:** Indeed, Mr Speaker, thank you very much. As the member raised in his question, these matters may well be arguable, which side of the road was in more need of resurfacing if there were pavement defects in them. As I have often corresponded with members on both sides of the chamber when assessments are made of road surfaces, assessments are often

made for safety requirements first and foremost rather than the perceived benefit to ride improvements from resurfacing works. But I am happy to look into this particular matter and provide the member with a response.

### OAKLANDS PARK RAIL CROSSING

**Mr WINGARD (Mitchell) (14:17):** My question is also to the Minister for Transport. Given the government spent \$2 million on a study, drawings of the train overpass at the Oaklands crossing, when does the government plan to begin work on this project?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (14:18):** Can I thank the member for Mitchell for his interest in this particular matter, as I note his very keen interest that he has raised on numerous occasions within this chamber. Yes, a study was done some years ago—off the top of my head, 2011 or perhaps 2012—which indicated a solution in the order of I think \$210 million off the top of my head (I do not have that in front of me), but of a very significant magnitude.

The government released, before the election, a draft Integrated Transport and Land Use Plan which spoke about a series of transport improvements across central Adelaide, broader metropolitan Adelaide, and of course across the rest of the state over a series of time frames: within five years, five to 15 years, and 15 to 30 years. While the Oaklands crossing was identified as a transport issue that needed attention, it wasn't identified as an issue which needed attention in that most immediate time category. That has been the position of the government.

I reiterated that in radio interviews when I first became elected, and I noticed that, despite there being newly elected MPs from the other side of the house who resided in that part of town and also represented communities interested in that particular crossing, there was no commitment or indeed an intention to take the matter any further in the transport policies, or lack thereof, that were taken to the election by the opposition.

**The SPEAKER:** Point of order.

**Mr GARDNER:** The minister's characterisation as he sees another party's policy is certainly debate.

**The SPEAKER:** I will listen to what the minister has to say. As long as he is not excessive in making Her Majesty's Opposition the topic.

*Members interjecting:*

**The Hon. S.C. MULLIGHAN:** Thank you, Mr Speaker. As I was saying, a manifest lack of transport policies presented to the electorate at the last state election by those members sitting opposite, and, of course, a blank space when it came to the Oaklands crossing.

**Ms CHAPMAN:** Point of order: conversing the policies of the opposition is irrelevant to the question. The question was: when is this project going to advance?

**The SPEAKER:** Yes, indeed; the Liberal Party has not been in office since early 2002.

**Ms CHAPMAN:** And further point of order, Mr Speaker.

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

**Ms CHAPMAN:** The member was Mr Alan Sibbons.

**The SPEAKER:** Minister, please get on with it.

**The Hon. S.C. MULLIGHAN:** Thank you, Mr Speaker. Can I thank the deputy leader for her interjection as well. She, much more neatly than I, has drawn the link between transport policy of the opposition and irrelevance better than I could.

**Mr PISONI:** Point of order: I believe the minister is responding to—

**The SPEAKER:** Interjections.

**Mr PISONI:** —interjections, which is of course against standing orders.



**The SPEAKER:** Well there are two remedies to that, isn't there: first, the minister doesn't respond to the interjections; the second is you do not utter them. Minister.

**The Hon. S.C. MULLIGHAN:** Mr Speaker, I think my point has been made.

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

#### OAKLANDS PARK RAIL CROSSING

**Mr WINGARD (Mitchell) (14:21):** I appreciate the minister giving us figures, which we have been looking for for a while, of \$200 million for the overpass, which is the first time that figure has been bandied around. Given that the pictures showed rail over road, is it still the intention of the government to put rail over road?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (14:21):** I think there has been quite an amount of discussion both before and since the election about the Oaklands crossing, the study that was done, the solution which was proffered (which the member for Mitchell has just raised: a rail overpass over the road junction) and, of course, the cost. There has never been any secrecy or withholding of that information, either from the opposition or from the public, so I am interested to have that characterised as it has been by the member.

Mr Speaker, I was asked in late March or April of last year about what the government's approach to the Oaklands crossing was. I reiterated the points I made earlier about the fact that we had identified it as an issue in the transport network. We had identified that it needed attention. A study had been done, costings had been made, it had been factored into a 30-year transport plan to upgrade many of the transport needs of the South Australian community across the state, and also what the timeline was.

I also made reference in that interview that, if there were alternatives to alleviate the difficulties that motorists were having, particularly in the peak hour with navigating that intersection, we would be happy to consider them. But, until those alternatives are presented, and until they are worked through, our position is that we have factored it into our broader 30-year plan to improve transport infrastructure across South Australia.

#### OAKLANDS PARK RAIL CROSSING

**Mr WINGARD (Mitchell) (14:23):** I have a supplementary, as part of a separate project but tied in with this one is the resleepering of that bend of the rail line. The resleepering project is complete, yet the resleepering there has not taken place (à la there are still wooden sleepers instead of the concrete sleepers). Will residents have to wait for the 30-year version of the intersection upgrade, or will the resleepering happen before then?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (14:23):** I am interested in drawing the two issues of whether a sleeper is concrete or wooden and the delays experienced by motorists with boom gates coming down. I am not sure that they are directly linked. I think the issue is more that there is an adjacent railway station. Trains enter a particular section of the rail network which triggers the signalling system, dropping the boom gates, making sure that until those trains are cleared at that section, the boom gates remain down.

If there is an alternative proposition that somebody (whether on the opposition benches or elsewhere) wants to put forward as to how this issue is to be resolved, I am all ears. But, we have presented a solution, we have costed the solution, and we have factored it into our 30-year transport plan. All of these things, Mr Speaker, are further steps than the absolute zero commitment that we have had from those sitting opposite to resolving this issue.

#### HIGHGATE PARK

**Mr DULUK (Davenport) (14:24):** My question is to the Minister for Disabilities. Can the minister inform the house as to why it is expected to take up to 65 weeks to complete the upgrade of four lifts at Highgate Park, formerly known as the Julia Farr Centre?

**The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:25):** I thank the honourable member for his question. The matter was raised with me some time ago. We had to get necessary approvals because the money actually comes from a trust which was set up for the purpose of looking after people in that building.

**Ms Redmond:** Yes, but you dismantled all of that years ago.

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

**The Hon. A. PICCOLO:** The trust still exists and we need to go through a process of getting release of the funds from the trust to do that. The latest advice I got was that the tenders had been called for or were about to go out and I anticipate that they will be replaced and repaired as soon as possible, but the exact details I will get for you.

#### HIGHGATE PARK

**Mr DULUK (Davenport) (14:25):** Supplementary: does the minister believe a 65-week turnaround time is an acceptable turnaround time, as advised to the residents, families and carers' meeting in May of the Julia Farr Centre?

**The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:26):** Whatever the legal requirements require, I will adhere to those. If that is the time required, so be it. I am not saying it is good or bad; I am just saying that there is a law to be followed and I will follow the law.

#### BLACKWOOD ROAD MANAGEMENT PLAN

**Mr DULUK (Davenport) (14:26):** My question is to the Minister for Transport and Infrastructure. Will the minister advise the house as to when the road management plan will be acted upon to ensure the safety of residents of Blackwood and surrounding suburbs? A recent study by insurer AAMI has found Main Road, Blackwood to be the fifth most dangerous road in Adelaide.

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (14:26):** The issue of the road management plan for this particular area that the member for Davenport refers to was the subject of some debate in the lead-up to the last by-election that we had for Davenport. Indeed, it was claimed by the Leader of the Opposition that, unless the government duplicated parts of the road network leading from the metropolitan area up the hills face up towards that area, people were being put in danger from bushfires—reprehensible advice, which of course cuts across and is in conflict with the advice that we get from our police and emergency services on fire danger days.

Be that as it may, the road management plan, which did not seek to address those issues which the Leader of the Opposition was erroneously claiming during the Davenport by-election, is factored into all of the transport needs and improvements that we have. We will allocate our transport budget to meet the needs of roads according to priority. Those roadworks, as well as other roadworks around the state, will be prioritised in the usual way.

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

#### BLACKWOOD ROAD MANAGEMENT PLAN

**Mr DULUK (Davenport) (14:27):** Given that the February 2015 update of the plan is unfunded, when will funding be allocated to the Blackwood Road Management Plan?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (14:28):** I am not sure there is much more to add from the last 50 to 100 words of my previous answer.

### MOUNT GAMBIER HOSPITAL

**Mr BELL (Mount Gambier) (14:28):** My question is to the Minister for Health. Can the minister explain to the house why orthopaedic surgeons in metropolitan Adelaide have had their contracts rolled over for 12 months, yet the two orthopaedic surgeons in the Mount Gambier Hospital have only been offered three months?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:28):** I am happy to get a briefing. I am not sure the personal employment contracts of individuals in the Department for Health is something that really should be canvassed in here, but I am more than happy to get in contact with the member for Mount Gambier and get a report to him.

### ROAD SAFETY FENCING CONTRACTORS

**Mr PEDERICK (Hammond) (14:28):** My question is to the Minister for Transport and Infrastructure. What percentage of road safety fencing contracts are going to South Australian contractors?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (14:28):** I would have to look into that and provide the member with an answer.

### DROUGHT CONCESSIONAL LOANS

**Mr PEDERICK (Hammond) (14:29):** My question is to the Minister for Agriculture, Food and Fisheries. How many South Australian farmers have had a drought concessional loan approved? In Victoria, 90 per cent of assessed applications for drought concessional loans to date have been approved.

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (14:29):** This was a matter that was raised at the ministerial forum just a few weeks ago in Sydney with the federal Minister for Agriculture, Barnaby Joyce, and other state and territory ministers who all share the concern that probably not enough people in any of the states are getting the sort of loans through that are being offered. There are a number of different reasons for that.

We are looking at other states and territories to see if there is anything that's being done differently here than in the other states. At this stage, it doesn't appear so, although Victoria does do one part of the process before a second stage, which is in reverse to what we and the other states and territories do.

We want as many people to get that funding as possible and so does the federal minister, so he is having his department have a look. It's the federal government that provides the money, it's the federal government that sets the rules of handing out that money, and it's up to the individual states and territories to administer that.

Minister Joyce and myself are keen to make sure that as many farmers as possible can get that money, but what we also know is that one of the things that you have to be able to do is prove that you have a business case where that money can be repaid, which involves you going to your banks. In many instances, we understand that, when the banks sit down with the farmers, they say, 'We can actually match the conditions and the interest rates that are being offered in the government concessional loan.' So, in many cases, people don't go on with their application, and they accept a deal put to them by their banks.

The banks are happy because they get to keep a farm customer, and the farmers are happy because they are getting exactly the same deal that would have been offered by the concessional loan scheme for the assistance. I think we are seeing some people who aren't entering into the drought loan assistance scheme because they are actually staying with their banks who are matching the deal that we put on offer.

**The SPEAKER:** A supplementary, member for Hammond.

**DROUGHT CONCESSIONAL LOANS**

**Mr PEDERICK (Hammond) (14:31):** Are people getting frustrated with the government, minister, because there are stricter criteria and more forms to fill out for South Australian farmers to apply for this funding than for interstate farmers?

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (14:31):** Thank you again to the member for Hammond for the question. There might be frustrations with the forms, but it's the same forms that you have to fill out in every state. As I mentioned before, in Victoria, you have to go and do your business case after you have been given the tick by the government. Here, you have to do that beforehand, so I guess there is some more work to be done before you go through the approvals process as set out by the federal government and as administered by the state government.

**Mr Pederick:** Sounds like a different process.

**The Hon. L.W.K. BIGNELL:** Slightly different. As I said in my first answer, every other state and territory, as South Australia does, puts that part of the process first; in Victoria, they put it second. Does that have an influence on how many people get the loans? I don't think it does. I have looked at the percentage of people who have applied for these loans and how many people have got them in each state and territory, and it seems to me that we are on around the average when you work out the number of applications we have had compared to the number of applications that have been approved.

**The SPEAKER:** A supplementary, member for Hammond

**DROUGHT CONCESSIONAL LOANS**

**Mr PEDERICK (Hammond) (14:33):** Can the minister confirm that the criteria are quite different from the other states and that people who apply for this funding program have only 12 days to apply?

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (14:33):** I haven't heard that 12-day figure before, but I am happy to look into it.

*Ms Chapman interjecting:*

**The Hon. L.W.K. BIGNELL:** I think the scheme was extended by the federal government through until the end of June, so these loans have been out there—

*Members interjecting:*

**The Hon. L.W.K. BIGNELL:** These loans have been out there for a number of months now. The federal government is the government that has extended it out to 30 June so—

*Mr Knoll interjecting:*

**The Hon. L.W.K. BIGNELL:** Okay. I don't think any farmer in this state who is in duress is getting anywhere by us sitting in here, arguing the point. What I have been saying—

**Mr Pederick:** They are not getting anywhere.

**The Hon. L.W.K. BIGNELL:** Well, we are helping them, but we have to do it in conjunction with the federal government. The federal minister and I have a very good working relationship and we are working on it. As I said, it's a situation that every state and territory finds itself in. The federal minister wants to put more money out there, and we all want to put more money in there. The federal minister assured us a few weeks ago in Sydney at our ministerial forum that he will get his officers to go through and have a review and see what needs to be tweaked. We all want to get more money out there, and I think—

**Ms Chapman:** Victoria is doing it pretty well.

**The Hon. L.W.K. BIGNELL:** It is not doing it any better than South Australia is. We are hearing the same thing from all of the states and territories who are around the table. I was at the

forum and every minister said that they would like to get more money out to the people in their states and territories, so the federal government is having a look at the process of how these approvals are being handled at this stage. We are quite happy. We are having a look at it from a state level to see if there is any way we can improve it as well.

We know that people have an issue and we are trying to get to the bottom of it to see if we can make it any better, but it is federally funded. The rules about who gets the money and how they get the money are set out by the federal government and then we administer that. We cannot go and give out money that is not in compliance with the rules that the federal government have given us or we, as a state, are then liable to pay that money back to the federal government, and that is not something that we want to do with the scarce resources and taxpayer money that we have in our state. We want to help every possible farmer we can, but we have to do it in the proper way.

### DROUGHT CONCESSIONAL LOANS

**Mr PEDERICK (Hammond) (14:35):** Supplementary: with the minister's answer that South Australian farmers actually have to make a business case and do a lot more work to get approved for this funding, will he give them three months extra to apply to the federal government for this funding? If the federal funding is not allocated, will the minister be required to pay that back to the federal Treasury?

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (14:36):** I thank the member for Hammond. You have actually misquoted me. I did not say there was more work and more forms to be filled out by South Australians. At some stage, whether you are in Victoria or South Australia, to get these federal funds you have to prove your business case. You have to be able to convince the people who are handing out the money, which is the federal government, that you have the capability of paying back the money. One thing that minister Joyce has made clear is that, if people do not have the capacity to pay back a loan, then it is not a loan, it is a handout, and he is not interested in giving out handouts.

As I said, we are working on this issue with the federal government. They are taking a look at the scheme at a national level. We are taking a look at it at a state level and we welcome any contributions that you can make in feeding in some background about people who may have missed out because we want to get them the money. Minister Joyce wants to give them the money, so if you have any details at all, I encourage anyone over there—

*Mr Pederick interjecting:*

**The Hon. L.W.K. BIGNELL:** I would like to get—

*Mr Pederick interjecting:*

**The Hon. L.W.K. BIGNELL:** It is not our money. We are just administering the scheme.

**Mr Pederick:** No, it's unused federal money.

**The Hon. L.W.K. BIGNELL:** We do not get the money. We administer the scheme. It is federal money that then goes to the farmers. If anyone over there has any examples of people—

**Ms Chapman:** Ring up Victoria and get it right.

**The Hon. L.W.K. BIGNELL:** Mr Speaker, can I please ask you to stop the deputy leader from interrupting. This is a serious matter that deserves more than the interjections of the opposition.

**The SPEAKER:** I call the deputy leader to order.

**The Hon. L.W.K. BIGNELL:** Thank you very much for your protection because this is a really important issue. What I am asking is for anyone on that side of the house who can bring me examples of farmers who have applied and who have missed out—I would love for us to be able to case manage each of those. We want to get the money out there. Minister Joyce wants to get the money out there. This is a serious issue for South Australians, but we are not going to solve it and we are not going to help a single farmer by playing politics with it in here.

**DROUGHT CONCESSIONAL LOANS**

**Mr BELL (Mount Gambier) (14:38):** Supplementary, sir?

**The SPEAKER:** No, we have run out of supplementaries, it will just have to be a fresh question.

**Mr BELL:** My question is to the Minister for Agriculture as well. Just to be clear, minister, are you going to extend the deadline or are we going to lose \$35 million for the farmers of South Australia?

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (14:38):** I thank the member for Mount Gambier for the question. The money is not ours. The program is not ours. We administer it. If there is to be an extension it needs to come from the federal government. They have extended it to 30 June.

**CHILD PROTECTION SCREENING**

**Ms REDMOND (Heysen) (14:38):** My question is to the Minister for Communities and Social Inclusion. Will the minister or her department pay compensation to my constituent, a bus driver, who has been without a wage since 10 June due to her department's failure to process his application for the necessary clearance to work with children?

My constituent has been a bus driver for some years. On 7 April this year he lodged the necessary application which was a renewal for clearance to continue to work with children. This was as soon as he received the relevant notification. More than two months later in the absence of the clearance, even though he has never committed any offence which would put his ability to work with children in doubt, he has been required to cease driving the bus until the clearance certificate is received. Numerous contacts by my office with the minister's office have failed to overcome the delay and my constituent has now not earned any wage since 10 June.

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (14:39):** I am not quite sure whether the member for Heysen is referring to a bus driver who is engaged by one of the three bus contractors who drives Adelaide Metro fleets—

*Ms Chapman interjecting:*

**The SPEAKER:** The deputy leader is warned.

**The Hon. S.C. MULLIGHAN:** I realise that the lack of detail provided in the member for Heysen's question is of some concern to the deputy leader. We have taken—

**Ms CHAPMAN:** Point of order, Mr Speaker: the question was—

**The SPEAKER:** No, if the deputy leader continues, she will be removed under the sessional order. I am not having another bogus point of order.

**The Hon. S.C. MULLIGHAN:** As the minister and I have been at pains to make clear, two different employee groups, whether they are bus drivers, whether they are taxidriviers, or indeed whether they are engaged in other work which requires the different levels of clearance to give the public the level of safety and comfort that they would expect, it is an important risk mitigation measure. The minister has certainly improved and provided additional resources into her department, and the transport department has also made it very clear—

**Mr Pengilly:** All ministerial advisers need it.

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

**The Hon. S.C. MULLIGHAN:** —to the different driver groups about how they can also assist in the process by making sure that their applications are being presented in a timely—and I must say, Mr Speaker—

*Ms Redmond interjecting:*

**The SPEAKER:** The member for Heysen is warned.

*Mr Knoll interjecting:*

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

**The Hon. S.C. MULLIGHAN:** As many members on both sides of the chamber would be aware, there have been instances certainly at the outset of this issue where there have been clearances which have been delayed. There have also been instances when people have contacted their local members of parliament, they have made assertions that—

*Mr Treloar interjecting:*

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

**The Hon. S.C. MULLIGHAN:** —they have done everything they possibly can to make sure—

*Ms Redmond interjecting:*

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

**The Hon. S.C. MULLIGHAN:** They have done everything they can to try to get their application in on time and, of course, when either my office or the minister's office or our respective departments have investigated the matter, unfortunately, on occasion, that has not proven to be the case. Whether that is the case in this instance or not, that will only be borne out once this matter is investigated. I am sure both I and the minister responsible are happy to investigate this particular matter if the member for Heysen can provide sufficient detail to us.

#### CHILD PROTECTION SCREENING

**Ms REDMOND (Heysen) (14:42):** A supplementary: in asking this supplementary, I go back to the very thrust of the question asked in the first place. Will the minister indicate whether there is compensation going to be paid to my constituent who is now losing his wages as a result of this delay? Can I say that there have been email and telephone contacts—

**The SPEAKER:** No, you can't say actually. Minister?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (14:43):** No, that is not the practice.

#### LOCHIEL PARK

**Mr TARZIA (Hartley) (14:43):** My question is to the Minister for Planning. When will the water recycling system at Lochiel Park in Campbelltown be fixed, completed and made ready for use by the residents, my constituents, who have been waiting for it for years?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (14:43):** I will seek the answer to that important question from those who know and I will get back to the member.

#### ROYAL ADELAIDE HOSPITAL

**Mr TARZIA (Hartley) (14:43):** To the Minister for Health: will the government install a hybrid suite in the new Royal Adelaide Hospital and, if so, when?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:43):** The hybrid—

*An honourable member interjecting:*

**The Hon. J.J. SNELLING:** Well, hybrid suites were not really a big thing when the planning on the Royal Adelaide Hospital was done many years ago. They have really come into their own in the last two or three years. Certainly the widespread usage—and there is no doubt that there are enormous benefits to be had from a hybrid suite. We are very fortunate because of the planning and

the way the new Royal Adelaide Hospital has been built that we will have the flexibility we need to make sure that the hospital is able to easily adapt to new technologies as they present themselves.

I do hope that this question from the member for Hartley is a break from the opposition we have had from the Liberal Party in this state to the new Royal Adelaide Hospital, ever since it was first mooted. In fact, it is pleasing to get a question implicit in which is the idea that a new hospital is a good idea and that the old hospital needed to be upgraded.

**Mr GARDNER:** Point of order, Mr Speaker.

**The SPEAKER:** This is going to be a bogus point of order, so I advise the member for Morialta not to make it.

#### ROYAL ADELAIDE HOSPITAL

**Dr McFETRIDGE (Morphett) (14:45):** Supplementary to the Minister for Health: can the minister tell the house whether the antivibration technology that is going to be or is being installed in the technical suites (aka the surgical suites) at the Royal Adelaide Hospital is going to be sufficient to stop the vibration from trains interfering with surgery in those suites?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:45):** I'm going to go out on a real limb here and say yes.

#### ROYAL ADELAIDE HOSPITAL

**Dr McFETRIDGE (Morphett) (14:45):** Supplementary: is the minister aware that the Belair train line, which is the closest train line to the new Royal Adelaide Hospital, was not functioning when the technical investigation was undertaken to install the antivibration technology, and it may not be sufficient?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:45):** I will get a report, but I know that surgeons have been through the new Royal Adelaide Hospital, through the operating suites, and I had heard nothing but praise. Certainly, no-one has raised with me that the vibrations from the trains are going to cause any problem. I have to say that the great thing about the new Royal Adelaide Hospital is that it is earthquakeproof, so I think a few passing trains aren't going to cause a problem.

**The SPEAKER:** We wouldn't want to see the Minister for Health lose his job because of the vibe.

#### ROYAL ADELAIDE HOSPITAL

**Dr McFETRIDGE (Morphett) (14:46):** Talking about vibration and noise, I have a further supplementary. Is the quadruple glazing that has been fitted around the Royal Adelaide Hospital rooms, around the helipad, sufficient to stop the vibration and noise from helicopters and did it cost \$30 million?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:46):** Well, I would again go out on a limb and say yes but, of course, I will double-check. With regard to the cost of the quadruple glazing, I will happily get a report back but, of course, that cost would have been borne by the consortium as part of the PPP.

#### COUNTRY HEALTH SA

**Mr PENGILLY (Finniss) (14:47):** My question is to the Minister for Health. Why has the agreement between Country Health SA and the Kangaroo Island Medical Centre been revoked? Country Health SA and the Kangaroo Island Medical Centre previously had an agreement whereby the KI Medical Centre doctors were remunerated by Country Health SA for all patients irrespective of their Medicare status. KI doctors are now attending as called by Country Health but not getting paid for non-Medicare patients.



**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:47):** I will have to get a report and happily get back to the member for Finniss on that. I have been spoken to about an issue with the Kangaroo Island payments, but I will double-check and get back to the member for Finniss.

#### COUNTRY HEALTH SA

**Mr PENGILLY (Finniss) (14:47):** My question is again to the Minister for Health. Why has the Kangaroo Island Medical Centre not received any response from the Department for Health to the offer made by a GP with credentials in obstetrics who expressed interest in assisting with services on the island in February this year—no response at all?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:48):** I will happily get a report back for the member for Finniss.

#### COMMUNITY LEGAL CENTRES

**The Hon. S.W. KEY (Ashford) (14:48):** My question is directed to the Attorney-General. Attorney, can you inform the house about the government's response to the commonwealth cuts to community legal centres in South Australia?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (14:48):** I thank the honourable member for her question. Community legal centres are an important part of our state's justice system. They provide support to financially disadvantaged people, to people with disabilities and to people, importantly, in regional parts of our state.

As I previously informed the house, the commonwealth delivered in its budget a 20 per cent cut to the funding of community legal centres in South Australia. The vast bulk of the funding cuts were pinned upon two of the eight centres, namely, WestSide Community Lawyers and the Central Community Legal Service. These two centres provide legal assistance to those in the central and western suburbs of Adelaide. WestSide Community Lawyers also maintains an office in Port Pirie, which I believe does very important work in that community. The Central Community Legal Service specialises in providing assistance to those with disabilities, and the centre also runs a valuable children's and youth legal service.

Recently, there has been further development in this area. On 9 June this year, Senator Brandis signed a letter offering a one-off payment of \$1.7 million to South Australia if the government agreed to the long-term funding cuts to the sector. Senator Brandis required the government to respond by 11 June. On 16 June, Senator Brandis's letter was actually sent. For those whose fingers are a bit slow, that is five days after the time had expired for responding to it.

Senator Brandis then graciously decided to provide by email an extension to 18 June. These time lines are clearly ridiculous. I am further advised that during the 48-hour time frame for a response my departmental staff attempted to contact the commonwealth and were told that there was nobody available to talk about it. The commonwealth will not be able to push us into making a rushed decision on whether to accept this offer.

These cuts have a real impact that hurt the most vulnerable in our community. I have today written to Senator Brandis to advise that this government will not be bullied into agreeing to these cuts within this ridiculous time frame. I have said that I will be consulting with the sector and my colleagues before responding.

#### REGIONAL TOURISM

**The Hon. J.M. RANKINE (Wright) (14:51):** My question is to the Minister for Tourism. Will the minister outline what government financial support is available to South Australian regions for marketing purposes?

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (14:51):** I thank the member for Wright for the question. I am pleased to announce today the Regional Consumer Cooperative Marketing Fund for tourism in South Australia. We all know that 23 per cent of South Australians live in regional South Australia, but 44 per cent of the tourism spend is actually in our wonderful region. So, we are announcing this fund today. It will have \$220,000 in there. Each of the 11 regions can apply for grants of up to \$20,000 and a minimum of \$5,000, which will have to be matched with funding from those tourism regions.

We have spent a lot of money with the regions. We have trebled the amount of money that the regions have got for their tourism bodies in the past two years. Of course, the Treasurer is going to have more to say this afternoon about our tourism spend in South Australia, and I am pleased to see that the Premier and the Treasurer have got behind the tourism industry with this afternoon's budget.

I encourage those opposite who are in any of our wonderful tourism regions to talk to their local tourism bodies wherever they may be. We will, of course, be writing to them with this news, but we would like everyone to be enthusiastic and spread the word because the more we can promote our regions in terms of tourism the more jobs we can create.

We want to grow the tourism industry from \$5.2 billion a year to \$8 billion by 2020. That is going to require a lot of heavy lifting, not just by government but in partnership with all these hardworking, small to medium-size businesses—these businesses that do so well, these businesses that put so much of their personal life on the line in terms of the hours that they have to plough into their business, in terms often of the security that they have put up from their own personal assets to make sure that they can provide the sorts of tourism facilities that people from interstate and overseas are going to want to see.

It is an ambitious goal and, if we reach that \$8 billion figure by 2020, it is going to mean an increase in tourism income into our regions of about \$1.1 billion. So, it is a big step up. It is a lot of money into the regions, a lot of great economic boost. I think the figure is that for every \$160,000 spent in the tourism sector one more job is created. The more we can all spread the word about South Australia being a great place to visit and our 11 regions being fantastic spots to go and spend some leisure time or, indeed, to head for conferences or major events then the better our tourism industry is going to be.

The regional organisations that are eligible to apply are: Adelaide Hills Tourism; Tourism Barossa Inc.; Regional Development Australia Yorke & Mid North (including the Clare Valley); Regional Development Australia Whyalla & Eyre Peninsula; Fleurieu Peninsula Tourism; Flinders Ranges & Outback SA Tourism; Tourism Kangaroo Island; South-East Local Government Association; Murraylands Tourism Partnership; Destination Riverland; and Yorke Peninsula Tourism.

Before I wrap up, I would just like to thank all of those opposite who represent tourism regions and, of course, the member for Giles in Whyalla, who is a great advocate for tourism, and the member for Frome, who has some wonderful tourism places in his electorate. Thank you for the bipartisan cooperation that we get. The member for Mount Gambier and I have worked closely together, and I think the South-East tourism body is doing a lot of great work down there. It was terrific to be down there a few weeks ago with you in your office talking to tourism operators about the really great work that is happening there. The more we all chip in together—

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

#### **URBAN DEVELOPMENT PLAN**

**Mr GARDNER (Morialta) (14:55):** My question is to the Minister for Planning. Can the minister advise the house if the government supports the approval of buildings on Unley Road which are higher than the council and government agreed five-storey limit and which don't meet council requirements for resident and visitor parking? The member for Unley is extremely interested in this matter, but appears to have a complaint with his voice right now.

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for**

**Industrial Relations, Minister for Child Protection Reform) (14:56):** Member for Unley, I will speak to you because I'm taking this as your spiritual question rather than the member for Morialta, who is on the other side of the city. I'll do my best to answer the question, and I'll provide you with something in writing afterwards, if that would help as well, okay?

*Members interjecting:*

**The Hon. J.R. RAU:** Of course the hearing is okay! Sorry. The situation is basically this: in the planning system as it presently stands, if you have a zoning which says, for example, that a permissible use is five storeys or seven storeys, or three storeys—whatever it might be—that doesn't mean anything larger than that is prohibited. That means something which is more substantial than that has to be assessed on merit to ascertain whether, notwithstanding the fact that it is outside the automatically acceptable envelope, there is some reason why the merit of the development is such that it warrants going more than that. If I'm not very much mistaken, that's exactly the process that has been gone through in respect of the properties we are talking about on Unley Road.

As I understand it, there has been an assessment—and it's not by me, I might add; the assessment occurs completely at arms length from the minister—that the proposals had sufficient merit, notwithstanding the fact the elements of scale were greater than the scale which was automatically within the envelope of acceptable development for the development to be approved. That process is an independent process. It's not a process governed by me; in fact, I have absolutely nothing whatsoever to do with that process and nor should I. That's what I understand has occurred in respect of those developments on Unley Road.

I do wish to add, further to this, Mr Speaker, that if we aspire to have a city which has good public transport linkages, has good facilities, makes maximum use of existing infrastructure, and so forth, it is necessary for us to contemplate the idea that buildings, which are three, four, five storeys, six storeys, will be able to be built on areas where there is good access to public transport and where it is fairly close to the city.

Anybody who has visited some of the European capitals would realise that a city that has that sort of scale is not intimidating and, in fact, it is a very interesting place. It's a place which is a safe place because there are always people there. You have mixed use developments, and that is good from a public safety point of view and it's also good from a range of choice in housing opportunity point of view as well. I will check that the answer I've given, member for Unley, is sufficiently complete, and if there is any element of that that needs to be added to, I will do that.

#### COUNTRY HEALTH SA SCHOLARSHIPS

**Mr HUGHES (Giles) (14:59):** My question is to the Minister for Health. Minister, can you outline how the latest Country Health SA scholarships will support rural students and country-based health workers?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:59):** I would like to thank the member for Giles for his question. In the 2015 annual scholarship round, Country Health SA has awarded 13 undergraduate and 12 postgraduate scholarships to students from regional South Australia and health employees who work in the country. These scholarships support the studies of country students who have chosen to work in health-related fields in regional areas.

The undergraduate scholarships assist regional communities by encouraging more country students to consider pursuing health careers in regional South Australia. They are offered to full-time students who are currently studying or about to start an undergraduate degree at university in an identified area of workforce shortage, such as physiotherapy or nursing. After graduation, recipients are required to work in a Country Health service for a term equal to the duration of scholarship funding awarded. These scholarships are an excellent way to support people from country areas who want to return to their home town after their city-based tertiary study. The 12 postgraduate scholarships for ongoing country-based health employees allow health professionals to further their studies and bring increased knowledge and innovation to our health service.

Since the scholarship scheme began in 1995, a total of 400 undergraduate scholarships and 330 postgraduate scholarships have been awarded and, over that period, Country Health SA has

employed an estimated 300 scholarship recipients in rural locations after completing their study. Experience shows that, once graduates have had the opportunity to work in our Country Health services, they often stay on. During my country visits, many medical professionals have told me that country life is great, and I encourage more people to choose Country Health SA as an employer of choice. Of course, these scholarships are helping us fill areas of workforce shortage. I would like to—

*Mr Knoll interjecting:*

**The Hon. J.J. SNELLING:** Didn't find it? I would like to acknowledge the work of our health advisory councils who provided local knowledge to the Country Health SA selection panel to help in the decision-making process. I wish all successful applicants the best in their studies and look forward to them playing a vital role in the provision of high quality rural health services into the future. Applications for the 2016 scholarship intake are expected to open in August 2015 and the list of current scholarship winners is available at [countryhealthsa.sa.gov.au](http://countryhealthsa.sa.gov.au).

#### **PIPI FISHERY**

**Mr PICTON (Kaurna) (15:02):** My question is to the Minister for Agriculture, Food and Fisheries. Minister, can you inform the house about changes to the pipi fishery for 2015-16?

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (15:02):** I thank the member for Kaurna for the question. The 2014-15 Lakes and Coorong pipi season, which finished on 31 May, was a huge success. Some of you would be more familiar with pipis as Goolwa cockles. According to the latest scientific advice from the South Australian Research and Development Institute (SARDI), the number of pipis has increased by nearly 20 per cent over the past year and the status of the resource has been classified as sustainable.

In light of this, the total allowable commercial catch for the 2015-16 season will be increased by 50 tonnes, from 450 tonnes to 500 tonnes, in accordance with the harvest strategy. The fishery is one of only two fisheries in South Australia to obtain the prestigious independent sustainability accreditation from the Marine Stewardship Council, and I congratulate all of those in the fishery for the great work they have done.

In September last year, the member for Hammond, the member for Finnis and I were down at the Goolwa Pipi Company's business to look at their new modified atmosphere packaging plant. It is a terrific development that is really going to add value to the produce that we have here, and it fits in line with one of the government's key priorities of providing premium food and wine from our clean environment and exporting it to the world. The more we can improve the packaging (this gives the cockles or pipis a longer shelf life), the more accessible that is for restaurants. I know that Attica, which is one of the top Australian restaurants year after year, serves up the Goolwa and Coorong pipis, and many other great restaurants do as well.

#### *Bills*

#### **VICTIMS OF CRIME (COMPENSATION) AMENDMENT BILL**

##### *Standing Orders Suspension*

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:04):** I move:

That standing orders be so far suspended as to enable me to introduce a bill forthwith.

**The SPEAKER:** An absolute majority being present, I accept the motion.

Motion carried.

##### *Introduction and First Reading*

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small**

**Business) (15:05):** Obtained leave and introduced a bill for an act to amend the Victims of Crime Act 2001. Read a first time.

*Second Reading*

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:05):** 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 fulfils the Government's election commitment to double the maximum compensation payment to victims of crime to \$100,000 and to extend eligibility for grief payments to the children of homicide victims.

The compensation payment for grief will double to \$20,000 and payments for funeral expenses will double to \$14,000.

Increases to payments for legal practitioners representing victims of crime will be addressed in the *Victims of Crime (Statutory Compensation) Variation Regulations 2015*.

This Bill also provides for the indexation of payments annually. This will ensure that compensation and other payments to victims of crime remain relevant over time.

In South Australia victims of crime are compensated in accordance with the provisions of the Victims of Crime Act 2001. The objects of the *Victims of Crime Act 2001* are:

- to give statutory recognition to victims of crime and the harm that they suffer from criminal offending;
- to establish principles governing how victims of crime are to be treated by public agencies and officials;
- to help victims of crime recover from the effects of criminal offending and to advance their welfare in other ways; and
- to provide from public funds limited monetary compensation to victims most directly affected by criminal offending.

The maximum payment that can currently be received by a victim of crime under the *Victims of Crime Act 2001* is capped at \$50,000. This cap covers compensation for both economic and non-economic loss.

Compensation for non-economic loss (pain and suffering) is awarded in accordance with section 20 of the *Victims of Crime Act 2001*. The non-financial loss is assigned a numerical value on a scale of 0-50 reflecting the extent of the loss and the value is then multiplied by \$1,000 (the multiplier) to arrive at the appropriate compensation figure. To be compensable, the non-financial loss must be assigned a numerical value in excess of two on a scale of 50.

Schedule 1 of the Bill contains an amended scale of compensation that employs numerical values of 0-60 rather than 0-50. This brings the scale into line with the scale of compensation used in the *Civil Liability Act 1936*.

The maximum amount of compensation payable to victims of crime has been doubled to \$100,000 and the compensation amounts assigned to the other numerical values on the scale have also been increased in a weighted distribution to ensure that victims who have suffered greater loss are more generously compensated. This is similar to the way in which the compensation scale in the *Civil Liability Act 1936* is designed.

Adopting the *Civil Liability Act 1936* scale of 0-60 will lead to a general increase in the numerical value assigned to each claim for non-economic loss. For instance, it is estimated that a claimant receiving \$12,000 (12 points under the current 50 point scale) would receive 18 points (out of 60 points) or \$19,000 in compensation under the new scale.

The Government has also committed to grief payments to \$20 000 and payments for funeral expenses to \$14,000.

The Government is also extending the eligibility for grief payments. The Bill provides that a child of a homicide victim, under the age of 18, will now be eligible for a grief payment. Previously payments were restricted to the adult children of homicide victims.

Payments made under the *Victims of Crime Act 2001* will now be indexed in accordance with the consumer price index to ensure that their value does not decline as a result of inflation. This includes compensation payments awarded under the scale as well as the grief payment and funeral expenses payment.

The payments made to legal representative of victims of crime will also be increased. This commitment will be fulfilled through the *Victims of Crime (Statutory Compensation) Variation Regulations 2015*.

I commend the Bill to Members.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

###### 3—Amendment provisions

These clauses are formal.

##### Part 2—Amendment of *Victims of Crime Act 2001*

###### 4—Amendment of section 3—Objects

This clause makes a minor change to the statement of objects to make it clear that the compensation provided under the statutory scheme is an acknowledgement of the harm that victims suffer from criminal offending.

###### 5—Amendment of section 4—Interpretation

This clause amends the definition section to allow for CPI increases of monetary amounts in the Act.

###### 6—Amendment of section 17—Eligibility to make claim

This clause allows a minor child of a homicide victim to claim statutory compensation for grief suffered in consequence of the commission of the homicide and makes amendments of a statute law revision nature (to update the existing references to the *Workers Rehabilitation and Compensation Act 1986*).

###### 7—Amendment of section 20—Orders for compensation

This clause increases the maximum amounts of statutory compensation that may be ordered under section 20 (and allows for indexing of those maximum amounts). In addition the court is, under subsection (3) now to assign a numerical value on a scale of 0 to 60 when determining non-financial loss (rather than the current 0 to 50 scale).

###### 8—Amendment of section 25—Legal costs and disbursements

This clause amends the current provision regulating legal costs and provides that regulations may make provision in relation to the costs of proceedings under this Act and recovery of disbursements.

###### 9—Amendment of section 27—Payment of compensation etc. by Attorney-General

This clause allows for indexing of the \$10,000 minimum amount prescribed in section 27(3)(c).

###### 10—Amendment of section 28—Right of Attorney-General to recover money paid out from offender etc.

This clause makes it clear that the Attorney-General may apply for summary judgment in favour of the Crown (and against the offender) of an amount that is less than the aggregate of the amounts paid by the Attorney-General as statutory compensation and costs.

###### 11—Amendment of section 29—Recovery from claimant

This clause inserts a new offence into the Act requiring a claimant who receives compensation or damages from another source to notify the Attorney-General within 30 days. The maximum penalty for the offence is \$1,250.

###### 12—Insertion of section 34A

This clause inserts a new provision allowing the Crown Solicitor to disclose to a victim information relating to the whereabouts of an offender or any means of contacting an offender (to facilitate the service of documents on the offender by or on behalf of the victim).

###### 13—Amendment of section 37—Regulations

This clause amends the regulation making power consequentially to clause 8.

###### 14—Insertion of Schedule a1

This clause inserts the table of compensation amounts corresponding to the various numerical values (now to be on a scale of 0 to 60) that may be assigned by a court determining a claim for statutory compensation for non-financial loss pursuant to section 20(3)(a).

Debate adjourned on motion of Mr Gardner.

**The SPEAKER:** Before the Treasurer begins the budget speech, it was a custom until last year that the budget speech be heard in silence. Provided the Treasurer's speech is not unduly provocative, I would like that to be the case today, and I certainly will not be handing out warnings; I will simply be removing people, under the sessional orders, who interrupt the speech.

*Parliamentary Procedure***BUDGET PAPERS**

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:06):** I lay on the table the following 2015-16 budget papers:

Paper 1 Budget Overview  
Paper 2 Budget Speech  
Paper 3 Budget Statement  
Paper 4 Agency Statements—Volume 1  
Paper 4 Agency Statements—Volume 2  
Paper 4 Agency Statements—Volume 3  
Paper 4 Agency Statements—Volume 4  
Paper 5 Budget Measures Statement  
State Tax Review—Government Response

I move:

That the Budget Statement, Agency Statements and Budget Measures Statement be published.

Motion carried.

*Bills***APPROPRIATION BILL 2015***Introduction and First Reading*

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:07):** Obtained leave and introduced a bill for an act for the appropriation of money from the Consolidated Account for the year ending 30 June 2016, and for other purposes. Read a first time.

*Second Reading*

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:07):** I move:

That this bill be now read a second time.

This government is embarking on the most comprehensive state tax reform in South Australia's history. Jobs are the centrepiece of our reform package. Our reforms create jobs, maintain jobs and build the enterprises that create careers.

Our tax reform package is about rewarding activity, the doers, the risk-takers, the small business owners, entrepreneurs, our miners and explorers, the start-ups, new and long established family businesses, our farmers and primary producers, our retailers, our developers, our service industry, corporates large and small and, most importantly, our manufacturers. Every single business and enterprise in South Australia, whether big or small, can benefit from these changes.

This government's tax reform stands our state out as a beacon for business investment. No other state has embarked on such a comprehensive reform. It is about recognising that as a nation the next wave of productivity will not come from federal reform but will be driven by improved productivity coming from state-based reform.

The genesis of this strategy began long ago; it is based on a well-reasoned and deliberate strategy of giving South Australians the tools they need to carve out our own future, to stand on our own two feet and to grow our economy. Our aim is to create an efficient tax system that rewards effort, minimises harm to the economy and incentivises investment decision-making by businesses by removing destructive transactional taxes.

South Australia faces serious challenges. These challenges have not suddenly presented themselves over the last few weeks but over a period of time. The failure of the commonwealth to invest in our automotive industry, the uncertainty over our submarines and frigates build, the high Australian dollar over a prolonged period of time, lower commodity prices and cuts to spending by the commonwealth in the areas of health, education, training and infrastructure have all had an impact on the economy. However, in a positive sign, the most recent commonwealth budget had a good small business package, the exchange rate is dropping and commodity prices are stabilising. However, unemployment remains unacceptably high.

These reforms do have a cost to the budget, but with prudent and sensible decisions our budgets will return to balance, providing budget surpluses, giving our community and business the confidence that our state finances can manage this once in a generation tax reform. It is a difficult task, but we welcome the challenge. We must lower the cost of doing business in South Australia and unlock the entrepreneurial spirit that has grown this state, helping South Australian business invest and grow.

Over the next four years, this government will invest almost \$985 million in supporting job creation through reforming our tax system and investing in new and growth industries. The 2015-16 budget delivers a new state tax system, support for northern Adelaide following the closure of Holden, and provides an economic stimulus through strategic investments in health, education, community safety, the vulnerable and our regions.

Importantly we return the budget to balance, delivering surpluses from 2015-16 through continued expenditure restraint while taking prudent steps to invest in our community, create jobs and protect the most vulnerable. In total, almost \$670 million in tax reductions will be returned to businesses and families over the next four years, reducing the costs of doing business. These reforms include ongoing reductions of more than \$268 million per year from 2018-19. Over the next decade, these tax reforms will return almost \$2.5 billion to businesses and the community. Beginning today we ask the parliament to support the government's plans to:

- abolish share duty;
- abolish stamp duty on non-real property transfers, including non-fixed plant and equipment;
- expand the stamp duty concession for exploration tenements, including retention tenements; and
- expand the eligibility criteria for corporate reconstruction relief.

As of 1 July, we will:

- abolish the Save the River Murray levy, saving households \$40 and business \$182 per year;
- introduce the cost of living concession for pensioners and low-income earners, protecting the most vulnerable in our community;
- offer a small business payroll tax rebate;
- increase the land tax thresholds by around 2.5 per cent;
- introduce conveyance duty and land tax exemptions for principal residential properties transferred into special disability trusts for no consideration; and
- abolish the Hindmarsh Island Bridge levy.

From the date of assent of amended legislation we will:

- amend the Stamp Duties Act 1923 to:
  - expand the stamp duty exemption for farm transfers between family members;
  - extend the definition of family groups in the Stamp Duties Act to include de facto couples;



- replace stamp duty ex gratia relief administrative schemes for disability service providers, incapacitated persons and property donations to charities with legislative exemptions;
- amend the Motor Vehicles Act 1959 to replace a registration fee ex gratia relief administrative scheme for vehicles used to transport incapacitated minors with legislative relief; and
- amend the Taxation Administration Act 1996 to only require 50 per cent of the tax in dispute to be paid before an appeal can be lodged.

From 1 July 2016, we will reduce by a third the stamp duty on non-residential real property transfers, with a further third reduction of stamp duty on non-residential real property transfers by 1 July 2017. On 1 July 2018:

- abolish stamp duty on non-residential real property transfers;
- abolish stamp duty on transfers of units in unit trusts; and
- abolish stamp duty on transfers of mining licences and tenements.

Our reform package over the next four years will abolish eight taxes. Over the next four years, almost \$670 million will have been provided in tax reductions to business and families in this state, putting back more than \$268 million per year from 2018-19 into the pockets of households and business, all with no new taxes—no tolls on our roads, no taxes on foreign investment, no broad-based land tax on a family home.

There is no better example of our commitment to lowering business costs than the difficult reforms the government took to the last election in relation to WorkCover. These reforms, with the help of the opposition, passed the parliament and will become a reality on 1 July 2015. South Australian businesses will save close to \$180 million per year from the government changes to the WorkCover scheme. This is yet another decision that was taken in the long-term interest of our state by a government that has a long-term vision for a better future. Since coming to office, this Labor government has already:

- cut the payroll tax rate from 5.67 per cent to 4.95 per cent and increased the tax-free threshold from \$504,000 to \$600,000;
- increased the tax-free threshold for land tax from \$50,000 to \$323,000 along with changes to other land tax brackets and rates;
- introduced annual indexation of land tax thresholds which provides ongoing relief to land owners and investors;
- abolished mortgage duty, debits tax, cheque duty and lease duty;
- introduced a stamp duty concession of \$15,500 for eligible purchases of off-the-plan apartments;
- introduced a Seniors Housing Grant of up to \$8,500 for people over the age of 60 who want to right-size their principal place of residence and purchase a new home to live in; and
- significantly increased the level of household concessions available to eligible South Australians, protecting the most vulnerable in our community.

Extending the small business payroll tax rebate to 2015-16 will mean that around 2,200 employers will receive payroll tax relief of up to \$9,800. On average, only 10 per cent of South Australian businesses pay payroll tax; over 130,000 small businesses in South Australia pay no payroll tax. Even without our payroll tax concession offered in this budget, South Australia's payroll tax regime remains the lowest-taxing effort in the nation.

However, tax reform cannot alone achieve our goals. We can no longer rely on the support of the commonwealth in sustaining our car industry, our defence industry or our renewable energy

sector. We cannot rely on others. We must truly create an international economy that engages with the rest of the world.

Our future is not limited to the growth of local businesses alone but in our ability to attract new businesses and new investment into our state. We will commit \$15 million to fund and secure new investment in South Australia through the provision of targeted assistance to support the attraction of new businesses and the development of key industries within this state.

We make no apology for this strategy. This government will invest to attract new head offices of national and international companies to South Australia, invest in new growth industries and aggressively pursue more private capital investment, foreign or domestic.

Our efforts must not only continue to support the emergence of new industries and new business but also support important growth industries such as tourism and education for international students. Tourism contributes \$5.2 billion and 32,000 jobs to the South Australian economy and is growing. It has the potential to deliver \$8 billion by the end of the decade.

Nearly \$1 billion is being spent on upgrading infrastructure facilities like the Adelaide Oval, the Convention Centre, the Riverbank development and attracting and supporting events that bring people and investment to South Australia. This budget includes a \$50 million package to drive jobs and growth in tourism and events. At the heart of our package is an unprecedented spend to promote South Australia to key international markets, secure new major events and conferences, and create thousands of tourism-related jobs.

We will also further our investment in the state government's bid fund, with \$5 million allocated to secure conventions and \$10 million to secure new events. The expanded fund will allow the state to secure and develop more major sporting, music and arts events that will generate significant economic benefits for our tourism industry and our local small businesses, as well as creating and supporting hundreds of jobs throughout the state. After all, who could understate the value of seeing those magnificent lads in their red guernseys, the Liverpool Football Club, live at Adelaide Oval. Winning more conventions and events will ensure we exploit the full potential of the newly developed and expanded Adelaide Convention Centre and Riverbank Precinct, which includes our world-class Adelaide Oval.

This budget also commits \$4.3 million in 2015-16 to upgrade the Middleback Arts Centre in Whyalla, the Northern Festival Centre in Port Pirie, the Sir Robert Helpmann Theatre in Mount Gambier, and the Chaffey Theatre in Renmark.

As the reality of climate change presents itself so is the increase in investments in renewables and clean tech industries. Risks become opportunities. We already lead the nation in the development of renewable energy generation, making up 39 per cent of electricity generation—on track of our target of 50 per cent by 2025.

The next logical step is to place our city at the centre of this new investment by making our CBD carbon neutral. Our plan is to make electric and hybrid vehicles the preferred mode of transport in our CBD, to create more green spaces and walls that reduce heat and improve energy efficiency, provide more renewable energy generation for use in the city, and attract and support hi-tech companies seeking to develop new technologies. This is a long-term vision that together we can achieve.

As the closure of Holden's Elizabeth plant in 2017 approaches, the state government will use all possible levers to support new and growth industries and stimulate the construction sector to protect and create jobs. This state government will stand up for communities in need and do all it can to deliver a sustainable future for northern Adelaide. That is why on top of our tax reforms we are committing an additional \$1 million towards the development of a northern economic plan which will focus on job creation and skill development which will now have a budget of \$5.4 million.

Other direct initiatives in the 2015-16 state budget include:

- \$2 million to develop a northern food park;
- \$25 million to renew ageing social housing stock;

- more than \$10 million over three years to upgrade schools and children's centres across northern Adelaide; and
- \$55 million to build a new road for the Gawler East housing development which industry estimates will unlock an additional 3,000 homes, \$1 billion worth of investment, and create an additional 6,000 residential construction jobs over the life of the project.

The Northern Economic Plan will deliver a vision, a strategy and specific actions that support the industrial transformation of northern Adelaide once the car manufacturing era comes to an end.

A new food park will also be developed providing expansion opportunities for new and existing businesses that have outgrown their current premises. The state-of-the-art industrial food park will build upon the success of food production in northern Adelaide and enable food manufacturing businesses to access shared infrastructure and services buildings. The development of these industries in northern Adelaide will be greatly assisted by the significant suite of reforms laid out in the government's tax reform package by the removal of impediments to transactions allowing businesses to invest, grow and create jobs.

This government remains committed to building a stronger South Australia. In this budget we commit over a billion dollars this year on productive infrastructure underpinning long-term job creation. This government does not believe investing in infrastructure is a false economy. We know public sector investment leverages private sector spend and creates real jobs for real people. That is why this government has a long-term plan and commits to a minimum spend of at least \$1.3 billion per year to create jobs and continue to build a stronger South Australia. By the end of the forward estimates our investment will grow to \$1.5 billion per annum. Over the next four years, a \$10.8 billion program will fund projects in key areas including:

- \$3.3 billion in health—including our NRAH;
- \$1.4 billion on road projects;
- \$353 million on public transport;
- \$216 million on educational facilities;
- \$197 million on the Adelaide Festival Centre Precinct; and
- \$1.7 billion on water infrastructure.

The program will support almost 4,700 jobs per year. We are stimulating the economy by replacing outdated facilities that are no longer fit for purpose, creating jobs for South Australians and better facilities for our community.

Our commitment to education and those early developing years is reflected in the additional children's centres that will be built and school upgrades across Adelaide as part of our \$50 million investment by the state government to stimulate local jobs. The Department for Education and Child Development will consult with the local communities in the coming months to assess the particular needs of their students and determine the scope of the projects.

The government will also commit \$65 million to the South Australian Housing Trust for the refurbishment and construction of public housing stock, creating 1,600 jobs. The investment includes \$20 million of additional funds as well as bringing forward funding totalling \$45 million from future years, further stimulating the sector.

As well as investing in key social infrastructure to grow jobs, the budget includes more than \$165 million over four years for road infrastructure. This stimulus package will boost productivity, improve safety on regional and suburban roads, and support more than 400 jobs. Funding for critical road maintenance and road safety works will deliver more than 185 projects across the state, including upgrades to Happy Valley Drive, shoulder sealing along the Yorke Highway, an upgrade of the Copper Coast Highway and works along Goodwood Road.

Many of the projects will start immediately, with tenders being issued in the coming weeks. An extra \$70 million over four years for critical road maintenance is on top of the more than \$220 million already budgeted for maintenance works over the forward estimates in addition to the

\$572 million this state government is committing to upgrading South Australian roads over the next four years.

We are also spending more on justice, with an additional \$85.1 million in new initiatives for our police, our courts and our prisons. We are reforming the justice system to ensure it serves the community and delivers improved outcomes. As part of this, new funds have been committed for improvements to the IT system of our courts.

When this government came to office, our annual health spending was \$2.2 billion. By 2016 it will be \$5.3 billion. To maintain a world-class healthcare system, it needs continued reform and investment. That is why \$260.8 million will be spent to rebuild South Australia's health system as part of this budget. The investments include:

- \$159.5 million at the Flinders Medical Centre for a new 55-bed rehabilitation centre, a new older persons mental health service and a new multilevel car park;
- \$32 million at Modbury Hospital to develop a new dedicated eye clinic, a new hydrotherapy pool and more than double rehabilitation beds;
- \$20.4 million at The Queen Elizabeth Hospital to add an additional level to the Allied Health and Rehabilitation Building, a new hydrotherapy pool and on-ward gyms;
- \$16.1 million for more ambulance vehicles and ambulance stations;
- \$15.1 million for a new Post Traumatic Stress Centre of Excellence; and
- new investments in both the southern and northern suburbs with improvements to the Noarlunga and Lyell McEwin hospitals.

Also, \$4.8 million will be invested in replacing mechanical stretchers and handling units in all South Australian Ambulance Service vehicles.

We will invest an additional \$5.1 million to support the work of the 450 people who work at the South Australian Health and Medical Research Institute (SAHMRI) as part of our government's long-term vision to create new industries and new jobs. To date, SAHMRI has brought to the state a total of \$70 million in grants over the past two years, and the state government will continue to support the work they do.

The 2015-16 state budget includes more than \$50 million for a range of reforms to improve and widen services for children at risk or in care. Over \$20 million will go to reforms related to enhancing our foster-carer system and providing other positive alternatives for residential care for young people at risk.

Labor will always protect the most vulnerable in our community. We stood up to Prime Minister Abbott and his \$30 million annual cut to South Australian pensioners. We will always fight for and protect our most vulnerable citizens. My parents are pensioners and, like many in this place, I have an electorate with a large number of older South Australians. Many older South Australians who have spent their lives building this state now feel forgotten by the commonwealth government. We will not leave pensioners and low-income earners behind. The South Australian government will legislate a new cost of living allowance to replace the \$30 million in pensioner concessions cut by the Abbott government.

The new cost of living concession will be introduced from 1 July 2015 to replace the council rate concession. The new concession will provide an annual payment of \$200 to eligible pensioners and low-income earners who own their own homes, \$100 for eligible pensioners and low-income earners who are tenants for the first time, and \$100 for self-funded retirees who hold a Commonwealth Seniors Health Card. Under the expanded scheme some 45,000 vulnerable households will receive the support they previously did not have.

Targeted to those most in need, the concession will provide recipients with greater flexibility to use the concession towards key cost of living expenses, whether it is electricity, gas and water bills or council rates. The cost of living concession is estimated to cost \$36.5 million in 2015-16 and is in addition to the existing pensioner concessions available for water, electricity and the emergency services levy.

Many South Australians feel that we are on our own; feeling that we have to fight for every bit of our prosperity, every inch of it—be it the construction of 12 new submarines at Techport, the frigates build, the decision not to back Holden, getting more water down the River Murray or even for our fair share of GST. We cannot, however, ignore the significant impact the closure of the Alinta operations in Port Augusta and Leigh Creek will have on those communities and regional South Australia.

The loss of a coalmine and the closure of the coal-fired powered electricity generation will have a significant impact. We have heard claims about the end of Whyalla and Port Augusta before—but these communities are resilient; they are strong and, like all great regional communities across South Australia, they are willing and able to adapt to change. As a government we must work with those communities affected to focus our efforts and ensure that together we create the jobs for the future.

This budget reduces the cost of doing business and opens up new markets to create jobs. South Australia must reward the risk takers, the entrepreneurs, and the small business owners across this state who seek to carve out a better future for themselves, their community and our state. This budget redefines the relationship between government and business. It redefines the timing and type of taxation we ask our enterprises to work within. From now on, our business entrepreneurs will have a tax system that backs them to win.

I would like to place on the record my sincere thanks and appreciation to the Under Treasurer, Mr Brett Rowse, his executive management team and all staff in the Department of Treasury and Finance. Their professionalism and dedication during the annual state budget process is to be admired, and I would like to thank them on behalf of the entire government.

**Honourable members:** Hear, hear!

**The Hon. A. KOUTSANTONIS:** I would also like to thank my staff, including my chief of staff Mr Tom Carrick-Smith, my hardworking and fearless media adviser Lucy Hood, my advisers Michael Brown, Peter Labropoulos, Nick Antonopoulos and Ben Tuffnell, my officer and agency staff led by Sarah Goodchild and Carly McNeill and, of course, my personal assistant Sevi Livaditis. Budget processes are stressful periods for Treasurer's officers, and I thank them for their advice, their guidance and their support during this time.

I would like to thank my family for their love and support—without Anthea, Tia and Helena it would be very difficult to do this job. Most importantly, I would like to thank my caucus colleagues who, over the past six months, have assisted me and the cabinet to form this budget, in shaping the very important pro-jobs, pro-Labor budget we have just delivered. I commend the budget to the house. I seek leave to have the explanation of clauses inserted without my reading it.

Leave granted.

1—Short title

This clause is formal.

2—Commencement

This clause provides for the Bill to operate retrospectively to 1 July 2015. Until the Bill is passed, expenditure is financed from appropriation authority provided by the *Supply Act*.

3—Interpretation

This clause provides relevant definitions.

4—Issue and application of money

This clause provides for the issue and application of the sums shown in Schedule 1 to the Bill. Subsection (2) makes it clear that the appropriation authority provided by the *Supply Act* is superseded by this Bill.

5—Application of money if functions or duties of agency are transferred

This clause is designed to ensure that where Parliament has appropriated funds to an agency to enable it to carry out particular functions or duties and those functions or duties become the responsibility of another agency, the funds may be used by the responsible agency in accordance with Parliament's original intentions without further appropriation.

## 6—Expenditure from Hospitals Fund

This clause provides authority for the Treasurer to issue and apply money from the Hospitals Fund for the provision of facilities in public hospitals.

## 7—Additional appropriation under other Acts

This clause makes it clear that appropriation authority provided by this Bill is additional to authority provided in other Acts of Parliament, except, of course, in the *Supply Act*.

## 8—Overdraft limit

This sets a limit of \$50 million on the amount which the Government may borrow by way of overdraft.

Schedule 1—Amounts proposed to be expended from the Consolidated Account during the financial year ending 30 June 2016

Debate adjourned on motion of Mr Pederick.

**STATUTES AMENDMENT AND REPEAL (BUDGET 2015) BILL***Standing Orders Suspension*

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:35):** Mr Speaker, I move:

That standing orders be so far suspended as to enable me to introduce a bill forthwith.

**The SPEAKER:** There being an absolute majority present, I will accept the motion.

Motion carried.

*Introduction and First Reading*

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:36):** Obtained leave and introduced a bill for an act to amend various acts, and to repeal the Hindmarsh Island Bridge Act 1999, for the purposes of the 2015 state budget. Read a first time.

*Second Reading*

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:36):** 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 contains measures that form part of the Government's budget initiatives for 2015-16 and implements the outcomes of the State Tax Review.

The changes that the Government is making in this bill will remove significant cost barriers to business investment and expansion, encourage the creation of new businesses in the State, and provide lasting improvement to the South Australian economy.

These changes will reduce the harmful impact inefficient taxes have on the economy and are consistent with the views expressed by South Australians during the State Tax Review.

For contracts entered into on or after today, stamp duty will be abolished in relation to non-real property transfers and non-quoted marketable securities.

In addition by 1 July 2018 stamp duty will be abolished on non-residential real property transfers.

Transfers of statutory leases and licences, such as fishing licences, taxi licences, gaming machine licences and entitlements, together with most forms of business assets including goodwill, trading stock (other than land), and intellectual property will obtain the benefit from the abolition of stamp duty on non-real property transfers.

Transfers of water licences are already stamp duty exempt.

From 18 June 2015, only property transfers involving land will remain liable for conveyance duty.

A limited number of leases and licences that have a very close connection with land will remain dutiable—namely, mining and petroleum leases and licences and forestry property (vegetation) agreements.

Exploration tenements will remain dutiable but will continue to obtain the benefit of existing concessional duty rates. The range of exploration tenements eligible for the concessional stamp duty rates has also been expanded to include retention tenements.

In addition to the removal of stamp duty on transfers of gaming machine entitlements, the stamp duty surcharge on the transfer of a gaming machine business, will also be abolished.

There will be a phased abolition of conveyance duty on non-residential real property transfers between 1 July 2016 and 1 July 2018. Duty rates will be reduced by a third from 1 July 2016, a further third from 1 July 2017, before the duty is abolished from 1 July 2018. It is estimated that there will be between 5,500 and 6,000 non-residential real property transfers each year that will benefit from this abolition of duty.

Stamp duty will continue to apply to non-exempt transfers of primary production land.

There are detailed provisions which set out what will be considered to be residential land. The Commissioner of State Taxation will rely on information provided by the Valuer-General in relation to the use of the land and in some cases the zoning of the land. Taxpayers will be able to readily ascertain the classification of the land that they are purchasing.

As the rates of stamp duty on non-residential land are phasing out over three years, a robust anti-avoidance provision has been included in the Bill to provide significant deterrence to persons who may attempt to artificially structure transactions in order to take advantage of a lower rate of duty in the future.

There are also a number of complementary amendments contained in the Bill that will also reduce the stamp duty burden on South Australian businesses.

Firstly, stamp duty is currently payable on the transfer of property from one corporation to another regardless of whether the corporations are part of the same corporate group.

Effective from 18 June 2015, this Bill will amend the *Stamp Duties Act 1923* to provide a corporate reconstruction exemption that is considerably broader than the *ex gratia* relief currently available which delivers on and significantly expands on the 2013 budget commitment to provide a 100 per cent exemption based on the existing criteria.

The exemption available will effectively abolish stamp duty on genuine corporate reconstructions.

Secondly, the issue, redemption or transfer, of units in a non-listed unit trust is currently subject to stamp duty at conveyance rates based on the consideration or the market value, whichever is greater.

From 1 July 2018, to coincide with the abolition of stamp duty on non-residential real property, stamp duty is therefore also being abolished on the issue, redemption and transfer of units in unit trusts under section 71 of the Stamp Duties Act.

Thirdly, from 18 June 2015, transfers of retention tenements will receive the same concessional stamp duty arrangements that apply to transfers of exploration tenements.

The concessional stamp duty arrangements mean that eligible transfers are only required to pay stamp duty of up to \$1,000 rather than the duty rates that would normally apply.

Changes in the focus of the State's petroleum and mineral related activity since the concession came into force in 1980 have seen the greater application of retention tenements, with the major utilisation of such tenements only very recently materialising in practice. The retention tenement is another form of exploration tenement offering extended tenure to carry out further pre-production exploratory works and to allow adequate time to assess the discovery, and to bring the discovery onto commercial production. The expanded stamp duty concession will promote discovery activity and commercial production in South Australia.

Fourthly, the Stamp Duties Act will be amended to confirm RevenueSA's long standing assessing practice in relation to the stamp duty exemption for interfamilial farm transfers, in particular in relation to transfers to and from certain types of trusts.

This will allow farming businesses to be transferred between families as originally intended when the legislation was introduced and will replace an *ex gratia* scheme currently put in place by the Government.

Fifthly, the *Taxation Administration Act 1996* will be amended so that it only requires 50 per cent of the tax in dispute to be paid before an appeal can be lodged with the Supreme Court. Currently 100 per cent of the tax in dispute is required to be paid before an appeal can be lodged. This measure is consistent with the Government's policy of increasing access to the justice system and dispute process by making the process affordable. The 50 per cent amount will prevent the lodgement of frivolous appeals but at the same time provide some relief to taxpayers.

The Bill also contains several other measures that will provide relief to taxpayers.

The Save the River Murray Levy will be abolished from 1 July 2015. This will save most households over \$40 each year and most businesses over \$182 each year. Importantly, while the Save the River Murray Fund will be wound up, the specific measures funded by the Save the River Murray Levy will continue to be delivered.

The Save the River Murray Fund will be wound up from 1 July 2016, after the monies in the fund have been fully spent. The balance in the Save the River Murray Fund is expected to be around \$4.4 million at 1 July 2015, with funds expected to be fully spent in 2015.

The Hindmarsh Island Bridge Levy will be abolished from 1 July 2015.

The levy is currently paid by property owners when new allotments are created on Hindmarsh Island. The levy represents the property owner's contribution to the construction cost of the Hindmarsh Island Bridge. The levy is being abolished as it has high collection costs relative to the revenue raised and will remove a disincentive for subdivision and development on Hindmarsh Island.

From 18 June 2015, properties transferred into Special Disability Trusts for no consideration and used as the principal place of residence for the beneficiary will be exempt from conveyance duty. These properties will also be exempt from land tax from 1 July 2015.

Under current arrangements, conveyance duty is payable when a principal place of residence is transferred into a Special Disability Trust. The property is also liable for land tax if its site value is more than \$323,000.

In addition, the existing exemption from stamp duty in respect of gifts of property used wholly for charitable or religious purposes will be extended to provide an exemption to charitable and religious bodies that purchase property that is to be used wholly for the organisations' charitable or religious purposes provided that the property is not wholly or predominantly used for business or commercial purposes.

Stamp duty *ex gratia* relief is provided on a regular basis to charitable and religious bodies that purchase property to be used solely for their charitable or religious purposes and the amendment to the Stamp Duties Act will enshrine that practice in legislation. It is not intended that the exemption extend to land used for business or commercial purposes by charities regardless of whether the funds generated from this activity is redirected to charitable purposes or not.

The Bill also enshrines in legislation two other stamp duty *ex gratia* schemes.

Firstly, the Bill provides for an exemption from stamp duty on motor vehicle transfers where the parent or legal guardian of an incapacitated person who is a minor purchases a vehicle to transport the minor. Consequential amendments will also be made to the *Motor Vehicles Act 1959* to provide a 50 per cent concession to the registration fee component of one motor vehicle where the vehicle is used mainly for transporting an incapacitated minor, subject to certain conditions.

Secondly, the Bill provides an exemption from stamp duty on motor vehicle transfers where disability service providers purchase vehicles to transport persons with disabilities.

The Bill also makes a minor amendment to the Stamp Duties Act to ensure that domestic partners are recognised in all relevant places in the Act. In 2007 the Stamp Duties Act was amended to recognise domestic partners however due to an oversight the definition of 'Family Group' in one part of the Stamp Duties Act refers to relationships of 'consanguinity and affinity'. This means that domestic partners are not covered by this definition. The Bill corrects this anomaly.

The Bill also makes beneficial amendments to the waiver and refund provisions of the *Land Tax Act 1936*.

As part of the 2001-2002 State Budget, land tax relief was provided where taxpayers move home or construct a new home and where a land tax liability arises on an intended principal place of residence.

As a result of an anomaly in the operation of the provisions, the waiver/refund is not currently available where a person moves into a new property prior to 30 June but has not sold their old property, which was their previous principal place of residence.

The Bill amends the provisions to remove this anomaly.

In addition the Land Tax Act currently requires that a taxpayer lodge a waiver/refund request with RevenueSA by 30 September following the end of the financial year in respect of which the waiver/refund is sought. The Commissioner has no discretion to allow the late lodgement of a waiver/refund request under section 5A of the Land Tax Act once the deadline has passed.

The deadline can be onerous given some taxpayers are unaware of their entitlement to a waiver/refund. The Bill therefore contains an amendment to extend that deadline to five years from the issue of the assessment to which the application relates.

Whilst the overwhelming majority of provisions in the Bill are beneficial to business and taxpayers in general, the opportunity is also being taken to address some administrative and avoidance issues that have been identified by RevenueSA.



Section 60A of the Stamp Duties Act prescribes how the value of property conveyed or transferred is to be determined for the purposes of calculating the amount of stamp duty payable.

Sections 60A(1)(a) and 60A(2) of the Stamp Duties Act provide that in the case of a conveyance on sale (a transfer of property for consideration), the value of property is the greater of the consideration for the sale or the market value of the property as at the 'date of the sale'.

Section 60A(1)(b) of the Stamp Duties Act provides that in any other case, the value of property is the market value of property as at the 'date of the conveyance'.

The Commissioner of State Taxation (the 'Commissioner') has always interpreted 'date of the sale' to mean the date property is conveyed or transferred, with legal advices supporting this interpretation for over 20 years.

Therefore, in all situations, whether in the case of a conveyance on sale or in any other case, the 'date of the conveyance' has been the only date used by the Commissioner when determining the market value of property.

Legal advice departed from the long-standing interpretation of 'date of the sale' and advised that the relevant date is the date a binding contract/agreement to sell comes into existence.

Adoption of this interpretation of 'date of the sale' may result in tax avoidance, particularly by means of back-dated contracts/agreements or contrived long-term settlements between non-arm's length parties, which could result in erosion of the stamp duty revenue base.

In response to the recent adverse advice, and to confirm the Commissioner's long-standing position that the 'date of the conveyance' is the only relevant date when determining the market value of property, the Bill contains retrospective amendments to the Act that replace all references to 'date of the sale' with 'date of the conveyance'. Therefore, the Bill suitably amends section 60A of the Stamp Duties Act and other sections of the Stamp Duties Act including sections 31, 31A, 65 and 71DB to deal with this issue.

The retrospective amendments to the Stamp Duties Act contained in the Bill are essentially technical amendments that will have no impact on the overwhelming majority of taxpayers, for whom it will be 'business as usual'. However, the amendments are required to prevent the tax avoidance described above and the resulting erosion of the stamp duty revenue base.

The Bill also removes the exemption available in relation to the partition of property between members of a family group.

Section 71B of the Stamp Duties Act provides an exemption from stamp duty for family members where property is divided or partitioned and the owners prior to the division/partition take a portion of the property equal to the interest they previously held in the whole.

The exemption is an archaic one that has led to a considerable amount of tax avoidance. As there is no policy basis on which family members should receive such beneficial stamp duty treatment, this exemption is being removed.

The Government will also reduce the \$1 million landholder threshold to zero from 1 July 2018.

The landholder model ensures that if control of an entity changes and that entity holds South Australian land assets above the threshold, conveyance rates of duty apply to the South Australian land assets being transferred.

This change coincides with the abolition of stamp duty on non-residential real property transfers and the removal of stamp duty on unit trusts and will therefore only apply where an entity holds residential and primary production land assets.

This will allow the landholder provisions to be more closely aligned with the general conveyance provisions where the transfer of any residential land no matter what the value will be charged with conveyance duty. From 1 July 2018 the landholder provisions will operate as pure anti-avoidance provisions to prevent residential and primary production land being transferred free of duty.

The Bill also contains amendments to the Land Tax Act to ensure that the minor interest provisions and the trust provisions work as intended.

Prior to 30 June 2008, it was a common land tax minimisation practice to create minor interests in properties to avoid the aggregation principle under the Land Tax Act.

Effective from 30 June 2008, section 13A of the Land Tax Act was introduced, allowing the Commissioner to disregard minor interests in properties in certain circumstances.

Whilst section 13A has generally been effective in dealing with tax minimisation practices, a deficiency has been identified in the provisions as a result of an adverse objection. This deficiency relates to the trust and aggregation provisions in section 13, the minor interest provisions in section 13A and the interaction of the two.

The inadequacy in section 13A of the Land Tax Act is that it does not apply where the 100 per cent legal owner of property holds this interest partly in direct ownership and partly in a trust ownership. This is the case regardless of whether the minor interest is held directly or on trust.

For example a 100 per cent legal owner could declare a 1 per cent minor interest in a property to be held on trust for a beneficiary or a range of beneficiaries.

In this scenario, section 13 of the Land Tax Act operates to acknowledge the trust ownership so that the relevant property is not aggregated with other property held by the same legal owner. Section 13A of the Land Tax Act however cannot currently apply to disregard the 1 per cent trust ownership as the legal owner retains a 100 per cent legal interest in the property, and there is therefore no minor interest recognised by the Land Tax Act for section 13A to disregard. Consequently, the aggregation principle is avoided where it should not be.

The amendments remedy the identified deficiency by allowing the Commissioner to distinguish a trust ownership from a direct ownership and to apply the minor interest provisions even where the legal ownership is all in the same name, but a part of the land is held on trust.

The Bill also restores the intended legislative position in relation to the minor interest provisions that was arguably put in doubt by the judgment in the case of *Kalomel Nominees Pty Ltd & Anor v Commissioner of State Taxation* [2012] SASC 10 (*Kalomel*). The amendments ensure that a decision by the Commissioner to disregard a minor interest should operate from the day that the interest was created even if the decision to disregard the interest was not made until the following financial year. This interpretation would render the provisions very difficult to practically apply in many situations.

Whilst a subsequent decision of the Supreme Court in the matter of *Kyren Nominees Pty Ltd v Commissioner of State Taxation* [2013] SASC 58 has overturned this interpretation of the *Kalomel* decision, these amendments operate to put the matter beyond any doubt.

The Land Tax Act is also being amended to ensure interest and penalty tax can be imposed on an assessment or reassessment of land tax in a situation where a taxpayer provided false or misleading information to RevenueSA in order to obtain an exemption.

This amendment arises out of a land tax objection where a taxpayer had been receiving an exemption due to providing RevenueSA with false or misleading information, and because an exemption had been in place, the relevant taxpayer had not been issued with any assessments.

Once the Commissioner determined that the exemption had been wrongly granted due to the false or misleading information, assessments were issued for financial years in which the exemption was incorrectly granted. However, because no assessments were originally issued, due to a technicality in the wording of the Act, there had been no default by the taxpayer to trigger the imposition of interest and penalty tax. This is clearly a situation where interest and penalty tax should apply to discourage taxpayers from providing the Commissioner with false and misleading information.

The Bill therefore amends the Land Tax Act to ensure that penalty tax can be charged in these situations where appropriate.

The Bill amends the *Supreme Court Act 1935* to allow for a tiered fee structure for court fees in respect to probate matters. The new fee structure will be based on the value of the estate and will commence from 1 January 2016.

The current fee of \$1,088 will be reduced for estates valued less than \$200,000. The highest fee will be \$3,000 for estates valued at over \$1 million.

This Bill amends the Rates and Land Tax Remission Act 1986 to provide a new cost of living concession. A new cost of living concession of up to \$200 per annum per household will be paid to eligible households from 1 July 2015.

The cost of living concession will replace the existing council rate concession of up to \$190 per annum provided to pensioners, low-income earners and specified self-funded retirees who are home owners.

Eligibility for the new concession will be expanded to include pensioners, low-income earners and specified self-funded retirees who are tenants. Expanding the criteria means an extra 45,000 households that are tenants will benefit from the new concession.

Eligible pensioners and low-income earners who own their own homes will receive \$200 per annum to put towards their greatest needs. Eligible pensioners and low-income earners who are tenants and eligible self-funded retirees who hold a Commonwealth Seniors Health Card will receive \$100 per annum per household.

The Bill makes royalty payable on the minerals recovered by councils in South Australia from their borrow pits at a royalty rate of 55 cents per tonne from 1 July 2015.

This replaces the royalty exemption provided to councils and ensures that the state receives a royalty benefit from those minerals that are owned by the Crown (in right of the State of South Australia) for the benefit of all South Australians.

Council borrow pits will continue to be regulated and controlled, apart from the royalty payable, under the provisions of the *Local Government Act 1999*.

I commend this Bill to the House.

## Explanation of Clauses

## Part 1—Preliminary

## 1—Short title

This clause is formal.

## 2—Commencement

This clause sets out the scheme for the commencement of the various amendments and the repeal that are to be effected by this measure.

## 3—Amendment provisions

This clause is formal.

Part 2—Amendment of *Gaming Machines Act 1992*

## 4—Repeal of section 28A

## 5—Repeal of section 38A

These amendments are consequential

Part 3—Amendment of *Land Tax Act 1936*

## 6—Amendment of section 5—Exemption or partial exemption of certain land from land tax

Under section 5 as amended by this clause, an exemption of land from land tax will be available where the land is owned by the trustee of a special disability trust and the Commissioner is satisfied that the land constitutes, or is intended to constitute, the principal place of residence of the principal beneficiary of the special disability trust.

An associated waiver or refund scheme is also included.

A number of definitions are also inserted for the purposes of the exemption. Special disability trust is defined by reference to the *Social Security Act 1991* and the *Veterans' Entitlements Act 1986* of the Commonwealth.

## 7—Amendment of section 5A—Waiver or refund of land tax for residential land in certain cases

Section 5A authorises the Commissioner of State Taxation to grant a waiver or refund of land tax paid or payable by an applicant if certain criteria are satisfied. The amendment made by this clause expands the circumstances in which this can occur so that the Commissioner can grant a waiver or refund in relation to land tax where the relevant land ceased to be the applicant's principal place of residence during the course of the previous financial. The waiver or refund may be granted if proper grounds for exempting the land from land tax under section 5 existed immediately before the land ceased to be the applicant's principal place of residence and the applicant divested himself or herself of the land before the end of the financial year in relation to which the tax is payable.

This clause also amends subsection (4) of section 5A. That subsection currently requires that an application for a waiver or refund of land tax be made on or before 30 September following the end of the financial year in respect of which the waiver or refund is sought. Under the subsection as amended, the requirement will be for an application for a refund to be made not more than 5 years after the assessment of the liability to the tax.

## 8—Amendment of section 13A—Commissioner may determine that minor interest is to be disregarded

The amendments relate to the section of the Act that deals with minor interests in land. This section is intended to address situations where taxpayers use minor interests and trust structures to avoid the rules about the aggregation of land for the purposes of the imposition of land tax. Amendments to the section are intended to address aspects of the decision in *Kalomel Nominees Pty Ltd and Another v Commissioner of State Taxation* in 2012 to ensure that a decision of the Commissioner that an interest was created for the purpose of reducing the amount of land tax can have effect with respect to an interest from the date on which the interest was created. Other amendments will allow the Commissioner, in considering whether interests have been created for the purpose of reducing land tax, to consider the relationship between any trustee and beneficiary (subject to some specified exceptions).

## 9—Amendment of section 19—Time for payment of tax

This amendment addresses somewhat of a 'technical' issue associated with the interaction between the *Land Tax Act 1936* and the *Taxation Administration Act 1996*. Essentially, the issue is that under the *Taxation Administration Act 1996*, a taxpayer is only liable to penalty tax where there has been a tax default within the meaning of that Act. It is arguable that a person who has not been issued with an assessment has not failed to pay tax in certain respects, even though a tax liability might have actually existed prior to the issuing of the assessment. The amendment will have the effect of creating a tax default for the purposes of the *Taxation Administration Act 1996* in certain cases where the failure to serve an assessment was attributable (wholly or in part) to false, misleading or incomplete information provided to the Commissioner, or to a failure to provide information that should have been provided to the Commissioner.

## 10—Transitional provision

The first transitional provision makes it clear that the amendment to section 5A(4) applies in relation to an application for a land tax refund where the liability to the tax was assessed for the 2014/2015 financial year or a subsequent financial year. The second transitional provision makes it clear that the amendments to section 13A extend to any interest after the commencement of this Part, including an interest created before the Schedule (so that the amendments will apply in respect of any financial year commencing after the commencement of this Part).

Part 4—Amendment of *Local Government Act 1999*

11—Amendment of section 294—Power to enter and occupy land in connection with an activity

These amendments will have the effect of requiring a council that recovers extractive minerals under section 294 of the Act to pay royalty at the rate set out in section 17(4)(a) of the *Mining Act 1971*. In connection with this requirement, some of the sections of the *Mining Act 1971* are to be applied to a council that recovers extractive minerals as if the council were carrying out operations under that Act and as if the council held a mining tenement for the recovery of extractive minerals. The enactment of these amendments will require the operation of section 7(2) of the *Mining Act 1971* to be 'displaced' to some extent. Royalty collected under this scheme will not be payable into the Extractive Areas Rehabilitation Fund under the *Mining Act 1971*.

Part 5—Amendment of *Motor Vehicles Act 1959*

12—Amendment of section 38B—Registration fees for certain incapacitated persons or carers

This amendment will extend the scheme for a reduction in the prescribed registration fee for motor vehicles owned by certain incapacitated persons to motor vehicles owned by the parents or legal guardians of certain incapacitated children (subject to complying with the criteria prescribed by the section).

Part 6—Amendment of *Rates and Land Tax Remission Act 1986*

13—Amendment of long title

This clause amends the long title of the Bill to incorporate reference to the proposed payment of an amount to certain persons as a concession to assist with cost of living pressures.

14—Amendment of section 1—Short title

This clause amends the short title of the Bill to incorporate reference to the proposed cost of living concession scheme.

15—Substitution of section 3

This clause substitutes current section 3 as follows:

2—Interpretation

The proposed section retains the definitions contained in existing section 3, and inserts the following new definitions:

- approved aged persons housing scheme;
- residential premises;
- residential tenancy agreement;
- when a person will be taken to occupy residential premises as an owner or a tenant.

3—Entitlement to payment of concession

The proposed section provides that an eligible person for a financial year who satisfies the eligibility requirements prescribed by the regulations is entitled to payment by the Minister of an amount determined in accordance with the regulations in respect of that financial year. Eligible person is defined as a person who, on 1 July of the relevant financial year, occupied residential premises as an owner or tenant of the premises and was of a class prescribed by the regulations for the purposes of the proposed subsection.

16—Amendment of section 4—Remission of rates

This amendment is consequential on the insertion of proposed section 9.

17—Amendment of section 7—No interest etc payable

This clause inserts a new subsection 7(2) to provide that no interest is payable by the Minister in respect of an amount to which a person is entitled under the Act.

18—Amendment of section 8—Offences etc

This clause makes a number of consequential amendments to include references to the payment in proposed section 3 in existing offence provisions, and to make penalty provisions in the section consistent.

19—Insertion of section 9

This clause inserts a new section as follows:

9—Regulations

The proposed section allows the Governor to make regulations.

Part 7—Amendment of Stamp Duties Act 1923 that is taken to have effect on 1 July 2011

20—Amendment of section 91—Interpretation

This clause amends the definition of private unit trust scheme in section 91 of the Act to exclude any unit trust scheme that is an approved deposit fund or a pooled superannuation trust.

Part 8—Amendment of Stamp Duties Act 1923 that is taken to have effect on 18 June 2015 (Corporate reconstructions)

21—Amendment of section 102—Value of notional interest acquired as a result of dutiable transaction

This clause amends section 102 by removing subsection (2), which is redundant.

22—Amendment of section 102B—Acquisition statement

This clause makes a consequential amendment to section 102B relating to the requirement of a person or group to lodge a return after a dutiable transaction occurs.

23—Amendment of section 102G—Multiple incidences of duty

Subsections (3) and (4) of section 102G are deleted by this clause.

24—Insertion of Part 4AA

This clause inserts a new Part.

Part 4AA—Corporate group exemptions

102H—Interpretation

This section provides definitions for a number of terms that are used in Part 4AA.

102I—Direct and indirect interests

This section explains the meaning of the terms direct interest and indirect interest. The section also provides that 2 corporations are related corporations if 1 of the corporations has a direct interest in the other or a series of such relationships can be traced between them through other related corporations.

102J—Parent corporations and corporate groups

This section defines what is meant by corporate group. A corporate group consists of a parent corporation and its subsidiaries. If a corporation has a direct or indirect proportionate interest in another corporation that is a 90% or more, or a direct and indirect interest in another corporation that, in combination, constitutes a proportionate interest of 90% or more, the first corporation is the parent corporation of the second, and the second is a subsidiary of the first.

102K—Transactions to which this Part applies

Section 102K provides that Part 4AA applies to the following transactions:

- a transaction involving a conveyance of property, or an agreement to convey property, from a member of a corporate group to another member, or to other members, of the corporate group;
- a transaction whereby, under Part 4, a member of an eligible corporate group notionally acquires an interest in the underlying local land assets of a land holding entity.

However, Part 4AA applies to the transaction only if certain other specified criteria related to the transaction are satisfied. For example, the Part will apply to the transaction only if the corporate group's interest in the property that is the subject of the transaction is not diminished as a result of the transaction.

102L—Exemption from duty

This section requires the Commissioner of State Taxation to exempt a transaction from duty if he or she is satisfied that Part 4AA applies to the transaction. If a transaction is exempted from duty, the Commissioner is to assess the transaction, and any relevant instruments, as exempt from duty.

102M—Application for exemption

This section sets out requirements in relation to exemption applications. An application for an exemption under section 102L may be made at any time before, or within 1 year after, the completion of the transaction to which the application relates.

## 102N—Conditions of exemption

An exemption under section 102L will be subject to conditions specified in this section.

## 102O—Revocation of exemption

This section authorises the Commissioner to revoke an exemption granted under section 102L if he or she ceases to be satisfied that Part 4AA applies to the transaction or if certain other events, specified in the section, occur.

## 102P—Duty payable if transaction ceases to be exempt

If an exemption under section 102L is revoked, duty is payable in relation to the relevant transaction.

Part 9—Amendment of *Stamp Duties Act 1923* that is taken to have effect on 18 June 2015 (General tax reforms)

## 25—Amendment of section 2—Interpretation

This clause will ensure that various interests, rights and other items that are associated with land will be taken to be within the concept of land for the purposes of this Act.

## 26—Amendment of section 14—Instruments to be separately charged

This clause amends section 14 to deal with the situation where an instrument relates to types of property that are chargeable with different rates of duty or to a type of property chargeable with duty and a type of property not chargeable with duty. An instrument of this kind is to be treated as if the provisions of the instrument relating to each of the different types of property were a separate instrument and related only to that type of property.

Section 14 as amended by this clause will also provide that a person liable to pay duty on an instrument of this kind is to provide the Commissioner with evidence of the value of each of the different types of property conveyed or transferred by the instrument.

## 27—Amendment of section 31—Certain contracts to be chargeable as conveyances on sale

Section 31 provides that a contract or agreement in writing for the sale of an estate or interest in property is to be charged with ad valorem duty as if it were a conveyance on sale of the estate or interest. The first amendment made by this clause adds to a list of exceptions included within the provision, so that there is an exception for stock, implements and other chattels if the relevant contract or agreement provides for the sale as a going concern of land used wholly or mainly for the business of primary production together with the stock, implements and chattels, and the stock, implements and chattels are held or used in connection with the business.

The second amendment provides clarification in relation to the calculation of duty payable on a written contract or agreement that is dutiable under section 31. The value of the estate or interest contracted or agreed to be sold is to be determined for the purposes of the section by reference to the consideration specified as being payable for the estate or interest. Where duty has been paid on a contract or agreement as required under the section, duty is payable on a conveyance made to the purchaser under the contract or agreement only if the value of the estate or interest on the date of the conveyance is greater than the consideration specified in the contract or agreement.

If it appears to the Commissioner that the consideration specified as being payable for the estate or interest may be less than the value of the estate or interest, and no evidence of the value of the estate or interest, or only unsatisfactory evidence, is furnished to the Commissioner, the Commissioner may arrange for a valuation to be made of the estate or interest and may assess the duty payable by reference to the valuation.

## 28—Repeal of section 31A

Section 31A is repealed by this clause.

## 29—Amendment of section 60A—Value of property conveyed or transferred

This clause sets out an additional principle that is to apply when determining the value of property.

## 30—Substitution of section 62

This clause recasts section 62 of the Act. This section applies to—

- a transaction under which a person acquires a share in a company or an interest under a trust that confers a right to the possession of a dwelling owned and administered by the company or the trustees of the trust; or
- a transaction under which a person acquires a right to the possession of land as a result of becoming or being the owner of a share in a company or an interest under a trust.

However, subsection (2) makes it clear that the section does not apply to—

- a transaction under which a person acquires a share in a company or an interest under a trust that confers a right to the possession of a dwelling that is part of a retirement village scheme under the *Retirement Villages Act 1987*; or

- a transaction exempted from the section by the regulations.

An instrument that gives effect to, or acknowledges, evidences or records, a transaction to which section 62 applies is dutiable under the Act.

#### 31—Amendment of section 67—Computation of duty where instruments are interrelated

One amendment made by this clause is consequential.

The other amendment will ensure that if 2 or more instruments form or arise from substantially 1 series of transactions, then the instruments will be taken to form or arise from a single transaction made when the earlier or earliest of the transactions was made.

#### 32—Repeal of section 71B

This clause removes an exemption that relates to a partition or division of property between members of a family group.

#### 33—Insertion of section 71CAA

New section 71CAA will provide an exemption from duty in connection with certain instruments related to special disability trusts.

#### 34—Amendment of section 71D—Concessional duty to encourage exploration activity

These amendments extend the scheme established by section 71D to retention leases or licenses associated with exploratory or investigatory operations.

#### 35—Amendment of section 71E—Transactions otherwise than by dutiable instrument

These are consequential amendments.

#### 36—Amendment of section 91—Interpretation

These are consequential amendments.

#### 37—Amendment of section 92—Land assets

These are consequential amendments.

#### 38—Insertion of Part 4A Divisions 3, 4 and 5

This clause provides for the abolition of certain duties and a surcharge on 18 June 2015, but only in relation to relevant conveyances, transfers, transactions or instruments executed or initiated after that date and to still require the payment of duty or a surcharge in relation to conveyances, transfers, transactions or instrument that relate to contracts or transactions entered into before that date.

#### 39—Insertion of section 109

It is necessary to provide a specific anti-avoidance provision in connection with proposed new section 71DC and 105A.

#### 40—Transitional provision

It is appropriate that certain amendments apply in relation to contracts, agreements and instruments entered into or executed before 18 June 2015.

#### Part 10—Amendment of *Stamp Duties Act 1923* that takes effect on assent

#### 41—Amendment of section 60—Interpretation

This clause makes it clear that certain instruments that are expressly exempt from the operation of section 71 will also not be considered to constitute a conveyance or sale under Part 3 Division 6.

#### 42—Amendment of section 60A—Value of property conveyed or transferred

The amendment made by this clause to section 60A clarifies that where reference is made in the Act to 'the value of property conveyed or transferred', the reference is to the market value of the property as at the date of conveyance.

#### 43—Amendment of section 65—Where consideration consists of real or personal property

This clause substitutes a reference to the date of the sale of property in section 65 with a reference to the date of the conveyance of the property.

#### 44—Amendment of section 71—Instruments chargeable as conveyances

The first amendment 'expands' the exemption under subsection (5) of section 71 so as to include any transfer of property to a body established wholly for charitable purposes, as long as the Commissioner is satisfied that the

property will not be used (wholly or predominantly) for commercial or business purposes (and the amendment will also make it clear that the paragraph will not apply in any circumstances involving property to be used for commercial or business purposes, even if any revenue, income or other benefit arising from such use is to be applied towards the charitable or religious purposes of the body).

The second amendment will allow domestic partners to be recognised for the purposes of the definition of family group in section 71.

45—Amendment of section 71CC—Interfamilial transfer of farming property

These amendments extend the scheme established by section 71CC of the Act to certain trusts including discretionary trusts, unit trust schemes and self managed superannuation funds.

46—Amendment of section 71DB—Concessional duty on purchases of off-the-plan apartments

This clause substitutes a reference to the date of the sale of property in section 71DB with a reference to the date of the conveyance of the property.

47—Amendment of section 71EA—Interpretation

This amendment will allow domestic partners to be recognised for the purposes of the definition of family group in Part 3 Division 7 of the Act (insofar as this is relevant to the application of these provisions after the enactment of this measure).

48—Amendment of Schedule 2

This clause sets out certain exemptions in respect of stamp duty on the registration of certain motor vehicles.

49—Transitional provisions

The amendments made to sections 60A and 65 are to have retrospective effect, but not so as to impose duty in respect of an instrument or transaction if, before 17 December 2013, an assessment of duty was made on the instrument or transaction and an objection to the assessment was lodged with the Minister no later than 60 days after the date of service of the assessment.

Part 11—Amendment of *Stamp Duties Act 1923* that takes effect on 1 July 2016

50—Insertion of section 71DC

Concessional duty is to apply in relation to land transfers, other than with respect to land taken to be used for residential purposes or primary production, from 1 July 2016.

Part 12—Amendment of *Stamp Duties Act 1923* that takes effect on 1 July 2018

51—Amendment of section 71—Instruments chargeable as conveyances

These are consequential amendments.

52—Amendment of section 98—Land holding entity

From 1 July 2018, the \$1,000,000 threshold under Part 4 is to be removed.

53—Insertion of Part 4A Division 5

Duty on certain land transfers is to be removed from 1 July 2018 (subject to the operation of this provision).

Part 13—Amendment of *Supreme Court Act 1935*

54—Amendment of section 130—Court fees

The proposed amendment to section 130 will allow for fees charged in respect of proceedings, or any step in proceedings, in the court's probate jurisdiction to be based on the value of the deceased person's estate or on any other basis, whether or not the fee exceeds the actual administrative cost incurred.

Part 14—Amendment of *Taxation Administration Act 1996*

55—Amendment of section 93—Appeal prohibited unless tax is paid

The requirement to pay 100% of tax before an appeal may be commenced is to be reduced to 50% of the tax to which the appeal relates.

Part 15—Amendment of *Water Industry Act 2012*

56—Repeal of section 93

57—Repeal of section 94

58—Amendment of section 115



These amendments relate to the decision not to impose the Save the River Murray levy after the 2014-15 financial year.

59—Transitional provisions

The repeal of section 93 of the *Water Industry Act 2012* is not to affect any liability to pay the Save the River Murray levy for the 2014/2015 financial year, or any preceding financial year. The Save the River Murray Fund will be wound up on 1 July 2016.

Part 16—Repeal of *Hindmarsh Island Bridge Act 1999*

60—Repeal of *Hindmarsh Island Bridge Act 1999*

Amounts payable under the *Hindmarsh Island Bridge Act 1999* in respect of a period commencing on or after 1 July 2015 will no longer be payable.

61—Transitional provision

The repeal of the *Hindmarsh Island Bridge Act 1999* is not to affect any liability to make a payment under that Act or the Tripartite Deed in respect of any period concluding before 1 July 2015.

Debate adjourned on motion of Mr Pederick.

*Adjournment Debate*

**HARTLEY ELECTORATE SCHOOLS**

**Mr TARZIA (Hartley) (15:37):** I rise to acknowledge and congratulate many of the hardworking students, parents and teachers of the schools in my electorate. I point out that, in recent times, I have met with every one of those schools and, in fact, I have been able to bring them into this place to take them through the house and to learn a little bit about what they are doing at the moment and how we can help, and it has been a fantastic opportunity to do those things.

Hartley has some of the best performing public schools and private schools in South Australia, and these sorts of standards could not have occurred without the dedication and hard work of the teachers—

*Members interjecting:*

**The SPEAKER:** Will members please move out of the house if they are not remaining for the adjournment debate.

**Mr TARZIA:** —over a number of years. The result of this has been the education of our future leaders, be they in politics or in many, many other industries. I would like to list some of the names of some of the staff and students who I have visited at their schools and who, in turn, I have invited into parliament to better appreciate the quality of our schools within the electorate, as well as showcase what we can do together as a community. I think that it is incumbent upon us to shepherd the next generation of leaders to give them the best opportunity that they have to succeed.

Recently, I was fortunate enough to take students from St Joseph's Tranmere through Parliament House. I met with the principal, Clare Nocko, and two senior students, Lucinda Hale and Nicholas Reu. They have a wonderful future ahead of them and I am very proud to say so.

I was fortunate to bring to Parliament House East Torrens Primary School's principal, Gael Little, as well as two of the students, Angel Manzella and Denis Pjetri, and likewise with East Marden Primary School, a school that has been in the media in recent times because it is a great school with great NAPLAN standards, but it can be much better. It is about time that this government gave East Marden Primary School especially what it deserves. There are facilities at that school that are certainly in much need of upgrade. I am lobbying hand in hand with the students and parents of the school and their community to make sure that East Marden Primary School gets the upgrades that it deserves.

It was wonderful to bring in the principal, Lana Dubrowsky, and the assistant principal, Phillipa Arbuckle, and to recently meet with their governing council, a very passionate governing council who are fantastic ambassadors for the school community and obviously want the school to thrive in the future. It was also great to recently host students Grace Builder, Jonty Schmaal, Lirui Sun, Finn Boylen, Olivia Mulvany, Jessie Harrip, Abdullah Tahir, Nikita Boldyrev.

Then there was St Joseph's Payneham, on the border of my electorate. It was wonderful to bring them in recently. Again, it is a school, from many years ago, that has come a long way in terms of student enrolments. It is absolutely flourishing and thriving, and it is fantastic to see. It was wonderful to speak with the principal, Laurie Sammut, and the deputy principal, Ingrid Douventzidis, and students Melissa Busato, Alana Iannace, Lara DiGirolami, Apostle Broikos and Adriano Caiazza.

Furthermore, from Norwood Morialta Senior High School, it was wonderful to be able to bring in the principal and some of the staff and students. The principal, Panayoula Parha, has been there for many years now and has been a fantastic advocate for the school, and she has certainly been a very strong icon at that school who continues to achieve great results. It was also wonderful to see the staff present that day.

Felixstow Community School is a beautiful school in my electorate. We have recently been able to successfully lobby the local council in that area—the Norwood Payneham and St Peter's council—to upgrade some line marking and signage. I look forward to seeing that take place in the coming days. It is an absolutely adorable little school. They do things a little bit differently. They are very diverse. You always get a fantastic feel when you go there. I thank the principal, Jen Bais, and the students I was fortunate enough to bring into this place: Evie Elliot, Kasmir Kellermann-Williams and Courtney Oswald. Magill Primary School is another great school that has flourished and grown from strength to strength over the years and is doing extremely well. It was absolutely marvellous to recently bring in their principal, Di Fletcher, and students Emeri Barnes and James Adler.

I just want to sum up by saying that it is wonderful to be able to bring in students. What you realise is that they grow up very quickly and that they really are the future leaders of tomorrow. Our SRC reps, our student leaders in these schools, are our future leaders of tomorrow. I think it is incumbent upon us as leaders in our community to do everything we can to ensure that their schools become the best that they can, that they have the best learning environment to grow up in. As the member for Hartley, I will always advocate as passionately and as strongly as I can to make sure that we make our schools the best that they can be for our children and our young adults.

#### ICAC INVESTIGATION

**The Hon. J.M. RANKINE (Wright) (15:42):** Various sections of the Independent Commissioner Against Corruption Act detail the requirement that information, except as authorised by the commissioner or a court, must remain confidential. In the case of a natural person, the maximum penalty is legislated at \$30,000. I will explain why I raise this now. Members will recall my outlining the detail of the ICAC commissioner's statement of 4 May clearing me and Ms Vicki Antoniou of any wrongdoing, as has been alleged in a series of articles published by Michael Owen of *The Australian*. The aim was quite obviously to discredit me and a hardworking public servant in the eyes of the South Australian public.

Although members of parliament have the protection of parliamentary privilege, we are still required to comply with the legislation. I am aware of how disappointed the member for Unley, and Michael Owen for that matter, must have been on 4 May when Commissioner Bruce Lander issued his public statement making it clear that there was no substance to the allegations referred to him about me and the appointment of Ms Vicki Antoniou, a public servant, to a Public Service position, and that Mr Lander had closed his file. The member for Unley again did not get the political prey he was hunting.

True to form, having not achieved the result he was aiming for, the member for Unley was out again the very next week trying to reagituate the same discredited accusations. As I have previously stated, no responsible journalist bound by the code of ethics touched this matter, as they saw it for what it was. But then, there is always *Today Tonight* and Hendrik Gout. A segment regarding ICAC and its clearing of me was run on 18 May.

Again, in true *Today Tonight* style, full of inaccuracies and innuendo, it simply restated matters already dismissed by Commissioner Lander. The deceit in their portrayal of events was astounding, and of course it contained the trademark *Today Tonight* subliminal manipulation: dimmed lighting, colour to black and white, slow motion and sinister music.

Gout reports the complaint to ICAC was that I had 'created a job for a public servant who had once worked for her partner, Speaker Michael Atkinson'. Further into the story, he claims that

documents FOI'd by the member for Unley 'appeared to show that, at the insistence of the minister's office, a unique new Public Service position was created specifically for Antoniou'. The imputation of this defamatory comment, of course, is that I acted corruptly.

Any attempt to check this by a credible journalist would have found that every multicultural affairs minister's office has had a departmental person filling this position. It was new to my office, yes, because I had just been appointed multicultural affairs minister, and it was new to the Department for Communities and Social Inclusion, yes, because the agency had been transferred from the Attorney-General's Department to the Department for Communities and Social Inclusion. It was not a new Public Service position per se.

But, according to Gout, this matter goes back to '2010, when Michael Atkinson lost his ministries of Attorney-General and Multicultural Affairs'—a *Today Tonight* take on the decision by the member for Croydon not to renominate for a cabinet position after the 2010 election. Of course, the truth does not fit the picture Mr Gout wants to paint, so he made it sound like the member for Croydon was removed from the ministry. They then use footage and comment that must have been at least five or six years old, or even older, to try to put the member for Croydon into the story they were trying to create—completely unethical, but typical *Today Tonight*.

Then there was the quote, 'This woman, Vicki Antoniou, a permanent public servant'—he goes on—'John Rau had someone else in mind', meaning of course that John Rau would not employ her when he became Attorney-General. Well, in fact, Ms Antoniou worked for the Attorney-General for some time in another role, but he was not the minister for multicultural affairs. A multicultural position was in the member for Croydon's office when he was minister for multicultural affairs. It was a position in minister Portolesi's office, and it is a position in minister Bettison's office. It was not new for me as the minister for multicultural affairs to have the very same position in my office. So, it was not newly created for me, but it was a unique position in that it required specialised knowledge and skills. In that way, it was different to other departmental officers. Gout continues his game:

Suddenly out of the blue on May the 4<sup>th</sup> came the commissioner's statement clearing Rankine of any wrongdoing. Just why Rankine got this individual treatment is an even stranger story; in February this year she unexpectedly resigned from the ministry.

This 'out of the blue' statement came about as Commissioner Lander explained because of media reports—that is, the eight articles published in *The Australian*, written by Michael Owen, but Gout does not report that fact. So incensed is Gout that all matters have been finalised, clearing both Ms Antoniou and myself, he tries to create the picture in viewers' minds that, because of correspondence from the member for Croydon to *The Australian* letters to the editor claiming he believed exactly that would occur, somehow the ICAC commissioner was either influenced, coerced or corrupt himself. He claims I was not 'just exonerated, but politically exonerated by the otherwise inscrutable commissioner'.

The deceit in their portrayal is astounding, and if you think it stops there, you are mistaken. He goes on and on with continual innuendo and rewriting what actually happened. To complete his story, he goes on to state that I refuse an interview outside that protected precinct, that is, this parliament. What I told Mr Gout in writing was:

I would consider a request for an interview from a journalist. By that I mean someone bound by the MEAA Journalists Code of Ethics and, with television reporting, someone who adheres to the Code of Practice applying to news, without relying on the exemption clause for accuracy and balance for infotainment programs, as I understand you do rely.

His only reply was he did not know if that was a yes or a no. What was new and previously unpublished information revealed in this segment was the identification of the complainant to ICAC, and that is directly contrary to the ICAC Act. Gout said:

In a letter to the Ombudsman asking for an investigation, Mr Pisoni wrote that the documents appeared to show that, at the insistence of the minister's office, a unique...Public Service position was created specifically for Antoniou.

He went on to say:

We now know that Pisoni sent his information to the Ombudsman and...we've since discovered, forwarded the case to the newly formed but ultra secretive Independent Commission Against Corruption.

Let me repeat that so there can be no mistake. Gout said:

We now know that Pisoni sent his information to the Ombudsman and he, we've since discovered, forwarded the case to the newly formed but ultra secretive Independent Commission Against Corruption.

Michael Owen does not have ESP; someone told him about the information that ICAC was investigating. Only one person had that information: the complainant. The complainant shared that information. That is prohibited under the act.

Gout has now revealed the complainant was the member for Unley. In his haste to hop on the mudslinging bandwagon, Hendrik Gout has identified the member for Unley, who had, to that time, been trying to minimise his perceived role as far as the ICAC investigation was concerned. He was more interested in picking over a political carcass should it be delivered to him. In some way, my resignation thwarted his moment of glory. The member for Unley is now in the rogues' gallery occupied by the likes of Franca Arena and Senator Bill Heffernan. At least Senator Heffernan, once his allegations against Justice Kirby were found to be false, had the decency to apologise—but not the member for Unley.

Today, I will be providing the Attorney-General with the transcript of the broadcast, asking that the matter be referred to his legal officers. This time, they have taken one step too far. The member for Unley has been outed—outed by the clumsy Hendrik Gout—as the complainant. My accusation is that the member for Unley then passed on correspondence that was confidential, which was against the law, to Michael Owen of *The Australian*.

It is people like the member for Unley whose conduct denigrates the role of members of parliament. In all my years in this place I have never called for the resignation of anyone, but if the Leader of the Opposition is to maintain his probity, and if the parliamentary Liberal Party is to fulfil its proper political and constitutional role without a New South Wales-style stain, the member for Unley must be stood down as the shadow minister for education while this breach is investigated. It is my very strong view this man is not fit for public office.

#### **MOUNT GAMBIER ELECTORATE**

**Mr BELL (Mount Gambier) (15:53):** I rise to speak on a few issues today, but of most importance is a young man in my electorate. His name is Hamish, and he is about to lose his job. He is a hardworking, diligent apprentice, and the reason for his job loss is nothing to do with him. It is the case that the apprenticeship he is undertaking has not fit under the Skills for All umbrella and, while we are in a state of transition to the new WorkReady program, nobody in this government can make a decision on what traineeship this individual can undertake.

Hamish will lose his job due to bureaucracy and also a lack of effort from Chris Pyne, who is manager of the traineeship and apprenticeship program. I have emailed Chris Pyne, and the response was, 'Talk to the minister.' Well, I will be talking to the Minister for Higher Education, because this is unacceptable. It is something that I want to stand up for and try to work through in a bipartisan way for a young person who is about to lose their apprenticeship.

I want to give some context to this because it is to do with the South-East Electric Motor Rewinds, a business that has been in operation for over 25 years. It is not a massive business with gold plating and all the rest. It has been in business since 1989, and in that time the owners, Peter and Virginia Harkness, have employed over 10 apprentices. Every two years, they put on an apprentice and train them up, and then those apprentices go on to bigger and better things.

We are at a stalemate, a stalemate where nobody will make a decision about the training this young person needs, which is the Certificate III in Electrical Machine Repair, UEE30611. It astounds me that I am standing here even talking about this, and it will be heartbreaking when I deliver the news to the parents, who are very supportive parents, of this young person that, due to bureaucracy and inertia that we just cannot move, a training solution at this point cannot be found. It disappoints me greatly to raise this matter.

Another matter I want to raise is the palliative care cuts to the Mount Gambier hospital. It is reported that up to 15 people will be losing their jobs due to these cuts; that is yet to be confirmed, but that is the report I have. There are real fears that the Geriatric Evaluation and Management (GEM) team will also suffer the likelihood of closing down. In country areas, these services are vital,

in country areas like Mount Gambier where we have an ageing population. In fact, one of our growth industries in the South-East is retirement villages.

People are selling up in cities, coming down and buying into a retirement village at a reduced price and having disposable income. It is a good industry for country areas like Mount Gambier to be participating in, but the impact of that is an increase in demand for health services, particularly palliative care. These cuts are cruel and unnecessary and they are certainly going to hurt not only people within my region but also people who are thinking of transitioning to the region of Mount Gambier.

I also want to talk about a person I have got to know in my electorate, Paul Jenner, who is an ex-councillor and a productive member of our community. He has had a workplace injury, and the shoddy treatment by EMI—in fact, I cannot even call it shoddy treatment; it is the 'no treatment', no communication—has put an amazing amount of stress on Paul and he has been under suicide watch. The Attorney-General has not answered my calls to support Paul. All we are asking for is a level of communication to reduce Paul's stress. He is under the illusion that after 1 July he will lose any payment, a payment he actually agreed to back in January, yet there has been no communication with EMI whatsoever. I find that situation is totally unacceptable.

At 15:58 the house adjourned until Tuesday 30 June 2015 at 11:00.