HOUSE OF ASSEMBLY

Tuesday, 8 September 2015

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

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

Bills

WHYALLA STEEL WORKS (ENVIRONMENTAL AUTHORISATION) 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) (11:02): I move, without notice:

That standing orders be so far suspended as to enable the introduction without notice of the Whyalla Steel Works (Environmental Authorisation) Amendment Bill.

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

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

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) (11:04): Obtained leave and introduced a bill for an act to amend the Whyalla Steel Works Act 1958. 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) (11:04): 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.

The Bill I am introducing today will extend by a further 10 years the environmental authorisation provided to OneSteel Manufacturing Pty Ltd (i.e. OneSteel), a wholly owned subsidiary of Arrium Ltd, and the company operating the Whyalla Steel Works.

The purpose of the Bill is to amend section 15 of the *Whyalla Steel Works Act 1958* to extend the environmental authorisation provided under the *Environment Protection Act 1993* and insert provisions to allow Schedule 3 of the Act to be updated to reflect variations to the authorisation.

Under Schedule 3 of the Environment Protection Act, the company is licensed by the Environment Protection Authority (EPA) to '*undertake particular activities of environmental significance under Schedule 1 Part A of the Environment Protection Act 1993*', subject to stipulated conditions. Arrium pays a licence fee to the EPA.

The *Whyalla Steel Works Act 1958*, formerly the *Broken Hill Proprietary Company's Steel Works Indenture Act 1958*, approves and ratifies an Indenture between the State of South Australia and OneSteel relating to the operation of its steel works in Whyalla.

The *Whyalla Steel Works Act 1958* was previously amended in 2005 to include the addition of Section 15 – Company granted environmental authorisation under the *Environment Protection Act 1993*. The authorisation is due to expire on the 4th of November 2015 on the 10th anniversary of the commencement of the section.

The initial environment authorisation granted by this Amendment provided OneSteel with regulatory certainty required to invest about $400 million to undertake Project Magnet. The implementation of the project resulted in significant environmental improvement such as the virtual elimination of the red dust problem which had bedevilled Whyalla for decades.

The success of Project Magnet provided Arrium with the confidence to further invest in its Whyalla operations including more than $1 billion to both expand the capacity of the Port of Whyalla and broaden its mining operations in South Australia to include the acquisition of Peculiar Knob.

The *Whyalla Steel Works (Environmental Authorisation) Amendment Bill 2015* amends the provisions in the *Whyalla Steelworks Act* relating to the environmental authorisation by deleting 10th anniversary and substituting 20th anniversary so that the expiry will take place on the 4th of November 2025.

This amendment provides a 10-year extension of the environmental authorisation to continue to provide Arrium with the regulatory certainty required to continue to adapts its business model to the current low iron ore price environment and highly competitive steel market.

The Bill also inserts Section 20 to set out provisions for Schedule 3 of the Whyalla Steel Works Act to be updated to reflect variations in the environmental authorisation at the request of the Minister.

Since the environmental authorisation was granted to the company in 2005, Arrium/OneSteel has demonstrated an improved performance in its environmental obligations to the State.

In August, 2010, the Environment Protection Authority awarded OneSteel with an EPA Sustainability Licence to reflect its genuine commitment to reducing its impact on the environment through reduced reliance on the River Murray, improved energy and carbon efficiency, improved environmental awareness amongst staff and for promoting values and initiatives that actively engaged the Whyalla community.

OneSteel has agreed at an officer level that, during the 10-year extension to the authorisation provided by this Bill, it will work with the EPA so it can recommend to the company's Board that the operations at Whyalla transition to a normal EPA-issued licence.

Arrium is a major employer in South Australia with a workforce of 3,400 directly employed workers and directly employed contractors assigned to its steel, mining, recycling and support services businesses.

Exports of hematite through its Whyalla port and the manufacture of steel using magnetite sourced from the Middleback Ranges make Arrium one of the major industries not just in the Whyalla region but also the Upper Spencer Gulf and the State.

Arrium is a significant economic contributor to the State and the lynchpin for industry and investment in the Upper Spencer Gulf. The extension of its environmental authorisation and the continued regulatory certainty provided by this Bill will better enable Arrium to meet the challenges it now faces in a rapidly shifting market place.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Whyalla Steel Works Act 1958*

3—Amendment of section 15—Company granted environmental authorisation under *Environment Protection Act 1993*

This clause amends section 15(7) of the principal Act to extend the period the environmental authorisation remains in force until the 20th anniversary of the commencement of that section.

4—Insertion of section 20

This clause inserts new section 20 into the principal Act. The new section allows the Commissioner for Legislation Revision and Publication to revise Schedule 3 of the principal Act to reflect variations of the environmental authorisation set out in the Schedule.

Debate adjourned on motion of Mr Gardner.

CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 3 June 2015.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:06): It is with pleasure that I arise to speak on the Classification (Publications, Films and Computer Games) (Miscellaneous) Amendment Bill 2015. I will certainly look forward to your contribution, Mr Speaker, to this bill which I am sure is a matter that is passionate within your heart; but, in any event, we do so on the first day of the resumption of parliament and I am pleased to be back here.

I read with interest in the local paper that we are to have a huge workload over the next few months to undertake the government's program agenda of reforms and I look forward to seeing them. A fairly scant list was offered, and if that is all that it is, then I expect we will be finished in September but, nevertheless, we look forward to that. This is a bill that was introduced by the Attorney-General on 3 June. It amends the Classification (Publications, Films and Computer Games) Act 1995. It comes as a result of the Australian Law Reform Commission's work and recommendations and is subsequent to amendments to the relevant Commonwealth Classification Act.

The commonwealth has already amended their legislation to do a number of things. Firstly, to enable certain content to be classified using classification tools such as online questionnaires that deliver automated decisions. Secondly, to create an explicit requirement in the Commonwealth Classification Act to display classification markings in all classified content. Thirdly, to enable the Attorney-General's department to notify law enforcement authorities of potential refused classification content without having the content classified first. This is to expedite the removal of extremely offensive or illegal content from distribution. These amendments, as I understand it, do not require state amendments. The state government, however, has agreed to progress some minor amendments that can be incorporated in our existing legislation.

I place on the record the concern that we have as to some of the delay of implementation of this. The National Classification Scheme was reviewed in 2011 by the Australian Law Reform Commission which produced 57 recommendations in its 2012 report. This does not incorporate all of the recommendations as it is proposed that they will have a staggered commencement. Accordingly, the minor amendments in this bill to the act are to:

- expand the exemptions to the modification rule so that films and computer games that are subject to certain types of modifications do not require classification again; and
- broaden the scope of existing exempt film categories and streamlining exemption arrangements for festivals and cultural institutions.

The amendments are supported in this bill by the opposition and, accordingly, we commend this bill to be passed through this house and referred for consideration in another place.

The door on this whole issue is not closed. There are still a number of other reforms that need to be considered, and I think it is fair to say that at the national level there continues to be debate and, indeed, a number of bills to try to ensure that we remain contemporary in this space.

We have classification laws to protect the vulnerable: children, for example, who are likely to be exposed to publications and films and, indeed, computer games, and it is important that we, as a parliament, remain vigilant in this space as we expect our national parliament to do the same. I trust this will assist in the improvement and protection of those for the purposes of which we have classification laws, and I look forward to the next round of amendments as they are forthcoming.

I conclude by saying that the whole implementation of national consideration of this area brings to an end South Australia's power to ban video games and movies. That will now be the responsibility of the federal government to attend to these classifications. It has been a long time coming. I do not doubt for one moment that the member for Croydon will be weeping in his chambers at the—

The DEPUTY SPEAKER: Are you allowed to say that? You are reflecting on another member.

Ms CHAPMAN: No, I am going to be complimentary on the passage of this bill to the extent that he has been a martyr in the space of maintaining state responsibility in this area. It might have

had something to do with his being the former attorney and therefore having responsibility to be able to carry out that role.

Nevertheless, he did take it very seriously, although he has attracted some comment over the years, particularly in 2008, when he blocked national R18+ classification for video games; he was certainly vigilant in voicing his objection to that. He wanted to ensure that such games remained banned, and that was his position. It became an election issue—in fact, in his own seat—but I will give him credit that certainly he stood strong on this issue.

The door has closed on that, and this will now be in the purview of the national arena. I think it is fair to say that I am not an advocate of nationalising most things—and it may prove that this is one which is not the most efficient way of managing classifications—but I am ever hopeful because we have diligent people who work in this space in our state, and I thank them for the work they have done to date and will continue to do as part of the national scheme. I commend the bill to the house.

Bill read a second time.

Mr GARDNER: I draw your attention to the state of the house.

A quorum having been formed:

Third Reading

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) (11:16): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT AND REPEAL (BUDGET 2015) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 June 2015.)

The DEPUTY SPEAKER: Member for Hartley.

Mr TARZIA (Hartley) (11:17): Thank you, Deputy Speaker.

Members interjecting:

The DEPUTY SPEAKER: Order! The member for Hartley has the call, and anything else is superfluous to necessity.

Mr TARZIA: Thank you, Deputy Speaker. I rise today to speak to the Statutes Amendment and Repeal (Budget 2015) Bill and indicate I will not be the lead speaker. The bill contains many measures that form part of the government's budget initiatives for 2015-16 and certainly implements some of the outcomes that the state tax review looked into. I note there are a number of key features of this bill, and I would like to point out some of these to the house if I may.

Firstly, I note that stamp duty has been abolished under the proposal in relation to non-real property transfers, as well as non-quoted marketable securities. I also note, in addition, that by 1 July 2018 it is said that stamp duty will be abolished on non-residential real property transfers—for example, things like fishing licences, taxi licences and gaming machine licences, which are also covered under the bill. It is also said that there will be somewhat of a phased abolition of conveyance duty on non-residential real property transfers between 1 July 2016 and 1 July 2018. I understand that duty rates will also be reduced by a third from 1 July 2016, a further third from 1 July 2017, before that duty is abolished from 1 July 2018. The government estimates that more than 5,500 transfers each year will benefit from the abolition of this duty.

There is also the effective abolishment of stamp duty on genuine corporate restructures, and this is obviously a good thing. In the past, people have told me that they are more than happy to set up in a different jurisdiction. Because of the stamp duty on some of their corporate restructures at

the moment, we know that South Australia has to do better in this area, and I welcome that effective abolishment.

I note that from 1 July 2018 stamp duty on the issue, the redemption and the transfer of units in unit trusts under section 71 of the Stamp Duties Act will be abolished. Furthermore, from 18 June 2015, transfers of retention tenements will receive the same concessional stamp duty arrangements that apply to transfers of exploration tenements. But wait, there is more: the Taxation Administration Act 1996 will be amended so it will only require, as I understand, 50 per cent of the tax in dispute to be paid before an appeal can be lodged with the Supreme Court, and at the moment I believe it is 100 per cent. There is also the abolition of the Save the River Murray levy and the Hindmarsh Island Bridge levy.

I will support the bill, but in speaking to the bill I want to point out a couple of things: firstly, where we are at as a state. We are in an environment in South Australia where we are the highest taxed state and we have the highest unemployment rate in all of the land—we have even gone past Tasmania. With the utmost respect to the government, what was called for at the last budget was some leadership and a budget that actually delivered some confidence in the market—the housing market, the business market—and that confidence has not come.

Whilst there are some measures—and I welcome some of these measures—I feel like we have not gone far enough. For example, with the abolition of stamp duty by 1 July 2018 on non-residential real property transfers, why would we not bring that forward to now, because what the market needs and what the people of South Australia need is activity. We all know that when you have activity—when there is buying, when there is selling, when there is trading happening—that leads on to other parts of the economy. For me, it's a no-brainer. It is a no-brainer that these stamp duty measures should be brought forward right now. If you are serious about them, let's bring them on right now, because we are in a dark place economically; let's be under no illusions here.

As well as a phased abolition of conveyance duty on non-residential real property transfers, again, why would we not bring that forward? We need to bring that forward. We then talk about the effective abolition of stamp duty on the issue, redemption and transfer of units. Again, we should be bringing that forward. We should be bringing all of that forward.

I was at a meeting last night with several people in the property sector in my electorate of Hartley, and let me say that a lot of people have looked at this budget—a lot of smart, savvy, commercial operators have looked at this budget and they have said to me, 'Vincent, why would I want to transfer or why would I want to trade when a lot of these measures don't come in for some years?' They have a commercial gain or a commercial benefit, and these are the sorts of people who think on the margins. They think about opportunity costs and things like that. Why would they not wait when the government has actually given them an incentive to hang on a bit longer, to not trade, to not reinvest for a while and to not grow for a while? If we are serious about stimulating the market—and we need to stimulate the market because we do have an economic crisis and a jobs crisis in South Australia—it is incumbent on the government of the day to bring these measures forward.

The state Liberals have reiterated calls on many occasions for the state Labor government to commit to reducing payroll tax and to slash emergency services levy bills by reversing the $90 million ESL hike announcement which came in the 2014 state budget. We have called to bring forward the planned stamp duty relief to take effect this year—not down the track but this year—and also to commence building on a number of projects, for example, the northern connector route, finalising an investigation regarding the Strzelecki track upgrade and creating a state-based productivity commission.

South Australia has got the highest unemployment in the nation, and this is before the job cuts that are coming from the mining sector. We have heard in recent times about BHP Billiton, the Port Augusta power stations, the Leigh Creek coal mine and Holden. To create jobs in our state we need a low-tax environment—an environment where red tape is reduced, where businesses have the confidence to invest and have the confidence to move forward and to provide for that economic growth.

Not only that but we need to reduce taxes to leave more money in the pockets of South Australians so that they can go out and they can spend more money—they can go and spend more

money on goods and services and spend more money direct to South Australian businesses. We need to improve business conditions, we need to improve business confidence. You cannot tax your way to prosperity. It has to be a small business-led recovery, and we owe it on behalf of the more than 100,000 businesses of South Australia to give them a bit of a kick, to give them a bit of a head start. You do not do that by providing more tax. You do not do that by taking money away from good, hard-working South Australians: you do that by enabling South Australians and enabling South Australian businesses, like those I spoke to in my electorate last night.

These business people are looking at hanging on to assets at the moment, not trading them, not value-adding them at the moment, because what this government of the day has done is actually stifling activity, and it should be ashamed for doing that. I know that South Australia has got the lowest employment growth forecast in Australia over the next five years; and in August the federal Department of Employment actually released its five-year employment forecast and it revealed some damning figures which said that South Australia had the lowest employment growth forecast in Australia. That report actually predicted that South Australia will add only 53,800 jobs between November 2014 and November 2019, and this obviously compares to interstate.

Have a look at New South Wales (a good Liberal government over there), which will create, it said, 358,000 jobs; Victoria, 308,700 jobs; and Queensland, which will create 243,600 jobs during the same period. So it is quite clear that we are lagging behind. In percentage terms, South Australia's estimated jobs growth of 6.7 per cent over five years is clearly the lowest of all the states and territories, and these figures are certainly of massive concern to people looking ahead, people looking ahead and investing in South Australia and people looking ahead and working in South Australia—good, smart, young people graduating and weighing up their options, 'Do we stay in South Australia? Do we move interstate?'

It is quite clear that there is great difficulty here in these sorts of conditions in obtaining a job now let alone in the future. So what we need are more job creation policies now. We need them now. We need activity now. We do not need them in the future. We need them now.

Obviously, I am an advocate for the mining industry. I want to see the mining industry do well. Our state has one of the largest deposits of minerals in the world and we should be doing more but, unfortunately, we do need to diversify. It is only when the tide goes out that you know who is swimming naked—that is a Warren Buffett quote.

The DEPUTY SPEAKER: Don't they move with the sea water, though?

Members interjecting:

Mr TARZIA: I won't respond to interjections.

The DEPUTY SPEAKER: Order! As Speaker, I do not believe I can be interjecting; I am giving a ruling on whether the people are actually exposed.

Mr TARZIA: It would be defying your order, Deputy Speaker. You have reminded me many times to not—

The DEPUTY SPEAKER: At least I am listening to you.

Mr TARZIA: That is right, and I listen to you too, Deputy Speaker, all the time. I note that 5,300 mining jobs have been lost since November last year and that there are a number of challenges in this sector. I feel for parts of the state like Port Augusta, where these cuts are hitting fast and hard. It highlights that, whilst we do have a fantastic agricultural base and a mining base that has enabled us to have so much prosperity in the past, we need to diversify and we need to transform. We need policies and confidence and courage from this government to make sure that we provide for growth and activity, because at the moment that is not happening. Whatever has been done for the past 13 years, economic conditions are deteriorating and we need to move fast. We need aggressive actions and aggressive measures. Whatever the government's jobs plan is at the moment, it is not working and it is time for a completely new economic policy to fix this problem.

With that commentary, I hope that I have pointed out some of the issues we are facing here in South Australia at the moment, and, as per convention, I will support the Statutes Amendment and Repeal (Budget 2015) Bill.

The DEPUTY SPEAKER: Member for Schubert.

Mr KNOLL (Schubert) (11:31): Thank you, Deputy Speaker, and welcome back. Welcome back to everybody. I too rise to support in name only and with my vote the budget measures bill and continue on—seemingly like a broken record from members on the side of the house—about what is wrong with this budget and this bill, especially in the context of a crumbling South Australian economy.

Whilst members opposite may find it difficult to sit there and listen, listen they must until the lessons of what we are trying to tell them seep in. After 13 years, unfortunately we have not had much success, but on this side of the house we remain glass-half-full kind of people and, as such, we will continue on our path to economic enlightenment and hope that members opposite heed those calls, because I can guarantee that the only way that we are going to fix this economy is with a small government, a reformist Liberal government reform plan. It is the only way that we are going to help fix South Australia.

What we see in this bill and in this budget is a continuation of the failed Labor experiment, a continuation of Labor's failed policy program for South Australia. Indeed, everything that the Labor government has done has been to try to increase its own importance at the expense of the community, to increase its revenue at the expense of South Australian taxpayers. What it has done is frittered that money away and, as a result, we do not have a productive economy to show for it.

The government has form on this issue over many, many years. Over the last couple of years, we have seen the government increase the emergency services levy twice: once when they got rid of the remissions and second when they put together an overall increase in this year's budget. Twice they have put their failed policy program into the budget by way of an ESL increase because they did not want to prosecute putting a land tax on the family home. However, they found a backdoor land tax on the family home and figured they would just go that way.

In the past they have removed payroll tax concessions for apprentices. They have increased motor vehicle charges. They have found so many different ways to transfer costs to local government. A recent example is natural resources management boards having to deal with an increased cost shifting burden towards them, and ultimately to those who pay levy rates to the NRM, because the government is not able to manage its own budget. There are so many examples and many more in this bill that I will come to, but essentially we could view the government as a big vacuum cleaner, a big vacuum cleaner like the industrial ones you get at the service station, the big thick ones that soak up everything—

Ms Digance: Is it a Dyson?

Mr KNOLL: Well, Dyson is not a South Australian company, so we can't talk about them.

The DEPUTY SPEAKER: Order!

Mr KNOLL: It is a big vacuum hose that soaks up every cent and goes into every crevice in every household trying to find every last cent so they can scoop all that money up to pay for the fact that it cannot manage its own budget. What have we seen once again from this last year's budget that has led us to this path? A continuation of budget blowouts. This year it was $201 million on the back of $335-odd million, or $331-odd million, last year. The truth is that the South Australian taxpayer continues to have to pay for the fact that this government would much prefer to reach into the hands and pockets of taxpayers as opposed to looking at their own side of the aisle and dealing with the fact that there is a $17 billion budget and that there are probably some savings that can be made there to spend that money more efficiently so that South Australians can be better off.

In this bill we have an increase in probate fees. I think Mark Parnell and the Greens will certainly be very happy about the backdoor death duty, which is exactly what this increase in probate fees is. Probate fees charged upon application for a will of a deceased person will massively increase for estates over $200,000 to less than $500,000. If I can make some comparisons across the country: in South Australia for estates between $200,000 and $500,000 we are seeing $1,500 charged as a probate fee, or an increase of 38 per cent. In New South Wales for $250,000 to $500,000, the fee is only $949. In Victoria, on any estate over $1,000 it is only $297. In Tasmania, for estates over $250,000 or more, it is only $750. In the ACT, between $250,000 and $500,000 it is $994. Other

jurisdictions just charge a flat fee: in Queensland of $615, WA of $271, and Northern Territory of $1,210.

What I think has happened is that the government has run out of its own measures to try to find ways to rip its hands into South Australian taxpayers; so it has taken a leaf out of the Greens' policy prescription and created death duties by another name. This is at a time when the median house price in South Australia is $381,000—Adelaide is over $400,000—so, most estates could face this fee, and these fees also apply to Public Trustee clients.

Someone who has lived through this government's regime of tax throughout their life and accumulated assets to enjoy themselves will not be able to escape this government's love of taxes even through death, with the cold revenue-rubbing hands of this government reaching well deep into their pockets. Benjamin Franklin famously said that there is nothing in this world that is certain except death and taxes, and with this government we get a two-for-one deal; we get it at the same time. This is not to mention the fact that once again we have the highest in the nation when it comes to probate fees.

The government has even found a way through stray dogs to increase revenue, with the consideration of an increase from $80 to $315 as the fee for dogs found wandering around. We on this side take exception to this drastically increased fine when the corresponding threat from what they are seeking to fine does not relate. When a gate is left unlocked innocently and a dog wanders onto the street, this attracts a fine almost akin to driving 20 kilometres over the speed limit.

I have seen the speed kills ads and we in this house know that speed kills—indeed, it is one of the things that we talk about quite often—but I do not think a puppy wandering around the playground is in the same sphere, yet this government obviously does. I think the comparison serves only to remind everybody that this government will look at any different way that they can to increase fees and charges to prop up what is otherwise a failing budget.

Speeding fines have been increased. It is amazing that the government thinks that we can have a recovery of the South Australian economy on the back of increased speeding fines. Once again, these fees have increased over inflation and, unfortunately—well, fortunately probably for our sake but not for the government's sake—we probably do not have enough recalcitrant drivers to help pay for the recovery that is needed in South Australia.

There is a definite need for us to turn this state around. There is a definite need for us to go down a different path in a different direction. We have tried the high taxing, high spending method of government. We have seen a continual increase in the size of the Public Service. At the same time, we have seen private sector job losses to the order of 8,700 in the month of May alone. We on this side of the house implore the Labor government to wake up and realise that this failed Labor experiment is over. The results are in, the results are forecast to continue to come in between here and the next election, that will be proof positive that this government does not have the policy prescription and what it takes to help turn our economy around.

This bill deals with increased taxes and charges, but these things do not stop here. If we look at property rates and charges, they have increased by 17.3 per cent for the year ending June 2015. We have seen, over the life of this government, an increase in water prices of 241 per cent between 2002-03 and 2015-16; this on top of the fact that we have the highest electricity prices in the nation. It is very clear that this government has a high taxing, high spending methodology, and it is phrased, from the Premier down, as 'protecting jobs'. It is shown to have failed and, unfortunately, it is shown that it cannot protect enough jobs, that these jobs are being lost. Indeed, that paradox, that oxymoron between wanting to protect jobs whilst at the same time losing jobs puts paid to and shows the fallacy of the argument this government has been running for 13 years.

With those words, I would like to commend the bill to the house. I would like to suggest that members opposite heed the warning calls that we on this side of the house have been putting to the house over an extended period of time and realise that at some point we all have to wake up, smell the coffee and realise that we are heading 180 degrees in the wrong direction. We need a change in South Australia.

Mr GARDNER (Morialta) (11:42): I am pleased to rise to speak on the Statutes Amendment and Repeal (Budget 2015) Bill, which of course puts into legislation some of the measures that were identified in the state budget. As other members of the opposition have done, I will be supporting the bill. It is our habit to do so, on both sides of the parliament, in relation to budget bills. That does not mean that it would not be appropriate to pass comment on some of the measures and some of the ways it could be improved, particularly considering the issues that confront South Australia.

I think all members of parliament in South Australia at the moment would be reticent in their duties if they had not identified unemployment as the most significant and pressing danger for our communities. The very impact of somebody having or not having a job has an extraordinary consequential impact on their family, their confidence, mental health and wellbeing and that of their family. I often think that, as my father used to say to me when I was growing up, and he spent his entire life either working for the country in the Navy or working in business and for his last 40 years employing other people, the best thing you can do for somebody is give them a job. Everything that flows from that is so important for what they can do, their self-worth and their ability to contribute to the community.

When we have the highest unemployment rate in the country, when we see ourselves as the state that is going backwards while the rest of the country, by and large, is going forward, despite the pressures obviously created by the constriction in the mining industry in Australia, it behoves us all to have unemployment at the front of our minds and to be thinking about ways that we as a parliament can tackle unemployment is critical. There are some measures identified in this bill that will go some way towards addressing it, but nowhere near enough, not the sort of measures that are going to inspire confidence in the business community such that every small business in South Australia might consider employing somebody for one day a week. Even if only that was done that would go a long way towards addressing the crisis we are currently facing.

This budget bill, while reducing some taxes over the period of the forward estimates, goes nowhere near dealing with the pressures of the cost of doing business in South Australia right now. It is all very well for the government to aspire to becoming in the middle of the pack as far as Australia's taxation impact on businesses goes, rather than at the bottom of the pack where we have spent so many years. It is all very well to have that as an aspiration, but what we need to do, given that we are in a jobs crisis in South Australia, is give businesses the opportunity to employ people now.

During the election campaign one of the things that frustrated me no end was the concept put forward by the Premier on a regular basis that—and I will paraphrase what he said because I do not have the quote in front of me, but if anyone feels aggrieved by my misrepresenting him they can identify the exact words he used and explain how they are not the way I explain them—effectively, in the opposition's calls for the handbrakes to be taken off the economy, for taxes to be lowered upon business, that would somehow line the pockets of businesses which he characterised as not being interested in employing people.

I want to relate my experience of how a family business deals with the tax pressures put on them, and that is indeed in my own family business that I grew up in, ensconced in, and it was the most important part of all our lives. It occupied most waking moments of my father's day and, when I was not at school, my mother's day as well. We spent an awful lot of time there helping out when we could. It was the topic of discussion at the dinner table, it was all our lives.

The political awakening for me (and I outlined it in my maiden speech, but it is very relevant to this bill) was when I was about 13 years old, in the early 1990s, and we were in the middle of the recession we had to have, according to Paul Keating. The business was starting to recover from some really tough times. The business was called Ultraviolet Technology of Australasia, manufacturing water treatment equipment in Adelaide's eastern suburbs in our factory at Glynde and supplying industrial chemicals to businesses that used such.

We had at the time I think about 12 or 13 staff. The staff at the business fluctuated. In the leanest times we went down to about nine or 10, and in the most prosperous times for the business it would have been approaching 20, but it was always in that area. The payroll of our business was always in the vicinity of the payroll tax threshold, whereby businesses start to pay payroll tax once

they go over. In the early 1990s we had unemployment rates in the 11 or 12 per cent range. We took it very seriously that we never wanted to fire staff if the business could sustain them, because it was very hard for people to get jobs.

I remember in particular one family dinner back in 1992 or 1993 and our accountant, who of course was a family friend (as so many family businesses take the opportunity to use professional services where they can get them), was around for dinner, as he was every couple of months, and we were discussing what to do in the coming months in relation to the business. There were opportunities for two contracts in particular to supply wastewater treatment facilities to two very significant orders, but doing so would require taking on three extra staff to fulfil the contract by the time it was necessary. The accountant was making the point that it would push us over the payroll tax threshold.

Consequently, it was deemed that it was in the best interests of the business at that time to actually refuse one of those orders so that we would not be pushed over the payroll tax threshold, which would have a detrimental impact on the business and which at these times, as were all businesses, was on a very fine line. We could not afford the risk of being caught up in that payroll tax system.

So when the government gives payroll tax relief to businesses, but then takes it away again—it announces payroll tax relief for a little bit of time during the election campaign but it will end on 30 June next year—that has a massive impact on jobs, because those businesses that are contemplating taking on extra staff will always take into account the tax environment they are in. Meanwhile, their competitors interstate, who are contemplating extra staff and dealing with areas where there is more confidence and a more favourable tax system, are also going to be in a better position to potentially take on work that we would be hopefully be having here in South Australia.

When the Premier during the election campaign underplayed the role that tax has on employment rates, I think he made a terrible mistake. It was clear from the first year of the Labor government that their economic plan was anything but a plan. So, I am pleased in this year's budget that there is some direction taken towards tax relief because it is critically important that we have more effort put towards keeping our young people here in South Australia, giving them jobs, providing an environment where business will be confident to give them jobs.

When I was in my early 20s, I had a group of friends that I was at university with, I had groups of friends that I was at school with, and they are mostly identifiable now by virtue of the fact that the only time they seem to spend in Adelaide is between Christmas and New Year. If you walk down Rundle Street in that week between Christmas and New Year, I do not think you will ever find it so busy because of the ex-pat South Australian generation X and Y people coming back to visit their family and friends in that week because they are pursuing career opportunities interstate and overseas.

South Australia punches really well above its weight on the national market because there are so many South Australian ex-pats in high-level jobs in Sydney, Canberra, Melbourne, the Gold Coast and Perth. What I would like to see is more of those jobs in South Australia. Given that we have a jobs crisis—our unemployment has hit 8.2 per cent recently and Tasmania is moving well ahead of us in this area—it is critical that some of those stamp duty relief measures be brought forward.

Payroll tax relief needs to be extended and I think that in the months ahead, as the government frames its Mid-Year Budget Review, there is an opportunity for this government to take on board some of the missed opportunities from the budget just past and the bill that we are going to pass probably later today through the house. I hope they do that; it is critically important that they do. Our business community needs it, but even more importantly than that the young people in South Australia who are finishing their studies at the moment and contemplating where they are going to get a job find it critically important.

Many members of parliament at the moment would be looking at employing trainees. I have never seen such a crop of well-credentialled, well-educated trainees put themselves forward for a position, as evidenced by the CVs that I have just read—degrees from every direction. Young people are applying for certificate III government and business traineeships, through the opportunity that we

have in our offices. One imagines a few years ago they would have been expecting that their professional qualifications might have landed them a good job in the law or accountancy, but they are now looking for a new direction because those jobs are not available if they wish to stay in South Australia in the numbers to go anywhere near meeting the demand from our young people. So, that is why it is critically important.

It is critically important for our families and our communities. It is about getting the balance right, ensuring that business is actually an important partner with government, but in a way that government creates the environment so that business can then do the heavy lifting. They will do so if they have the environment, if they have the confidence that frankly can only be inspired by a much better tax reform package than they have offered in this budget. We will support the bill but we need more and better next time.

Mr PISONI (Unley) (11:53): I too rise to make some comments on the bill and I want to focus predominantly on the unfortunate situation that South Australia has found itself in after nearly 14 years of Labor government—the highest unemployment in the country, and not just for a single month but month after month. It used to be that South Australia had the highest unemployment in the mainland. It is now official that South Australia has, and for some time now has had, the highest unemployment in the country.

Of course, we know that the ABS figures based on the seasonally adjusted figures do move around month by month, but one thing that gives a strong indication of where the future lies and what the government's record on job creation has been is the trend figures; unfortunately, in South Australia the trend figures have been rising every month for the last 12 months. There has not been any relief from that trajectory that the Weatherill government has taken us on—that is, more unemployment for South Australians and fewer opportunities.

To make things even worse, we have a situation where back in 2010 the then premier promised that the government would create 100,000 new jobs in South Australia within six years. That six-year period expires in February next year, and unfortunately we have seen the situation in South Australia deteriorate when it comes to job opportunities. We have seen unemployment increase and we have only seen a small growth of about 4,000 part-time jobs.

An important factor in the launch of that election policy of 100,000 new jobs was the training program that was being designed to assist the government to deliver those 100,000 new jobs. It was the Skills for All training program. I will read the forward from the then minister of employment, training and further education (the member for Playford), who went on to say:

> The Vocation Education and Training (VET) system has a key role to play in maximising our social and economic opportunities.
>
> Carrying out Skills for All will enable diversification in the VET system to support the varied and changing requirements of students and employers. It will also allow more flexibility for South Australians to choose the training and the provider that best suits them.

Less than three years after the launch of Skills for All in July 2012, employers, training providers and trainees were given about one week's notice that they were no longer welcome in a supported training sector in South Australia and that from 1 July all new supported training would predominantly go to the government's own business, TAFE SA, in the interests of helping TAFE to become competitive. Yet, just three years earlier, we were told by the then minister that the Skills for All program was all about choice and competitiveness and improving outcomes.

The disappointing thing about the government's decision, of course, is that we now hear from the Premier and the Minister for Employment that it was never, ever a permanent program, and yet neither one of them has been able to provide any document or any evidence that the private sector was only able to participate in supported training in South Australia for a three-year period. Certainly, nobody I spoke to in the non-government training sector was aware that the rug would be pulled within three years of the opening of the marketplace, in the words of the member for Playford, 'to allow more flexibility for South Australians to choose the training and the provider that best suits them'.

Less than three years later, the government has said that the only training provider that suits employers and employees is TAFE SA—just three years later. There is no explanation, other than

the fact that we see millions of dollars wiped from the training budget by this government over two successive budgets. The facts are that training was a major plank in creating 100,000 extra jobs in South Australia, and the government failed to do that. It failed to use the new flexible training model that it introduced in 2012 to have training targeted towards job outcomes.

The industry told the various ministers—and I think we have had five ministers in the training portfolio in the last five years—that it must be managed in such a way that the training leads to job outcomes. That is not the advice that was taken by the government. Instead, we saw a free-for-all. We saw the training funding poorly managed and we saw a lot of wasted resources in training that did not lead to job outcomes.

When the NCVER figures came out last Friday, it was very disappointing to see South Australia's performance against the rest of the nation over the last five years when it comes to training. Some interesting facts came out of that report, and I seek leave to insert these statistical tables into *Hansard*.

Leave granted.

Table 1

In-training by state/territory and selected training characteristics, as at 31 March 2015 ('000)

		NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Australia
Age	19 years and under	29.0	20.8	24.0	6.9	11.1	2.5	1.1	1.7	97.1
	20 to 24 years	29.4	24.3	19.2	7.0	10.7	2.5	1.1	2.4	96.4
	25 to 44 years	25.2	20.8	20.7	6.1	15.2	2.7	1.4	2.2	94.3
	45 years and over	8.3	7.6	6.4	2.0	5.4	1.1	0.3	0.7	31.8
Sex	Male	64.4	52.8	50.7	15.5	30.5	5.5	2.7	4.1	226.2
	Female	27.6	20.5	19.6	6.5	11.9	3.3	1.2	2.9	93.5
Occupation (ANZSCO) group	Managers and professionals	1.2	1.9	2.1	0.7	1.1	0.3	0.2	0.7	8.2
	Technicians and trades workers	53.2	46.0	42.9	11.6	24.4	4.1	2.2	3.3	187.6
	Community and personal service	13.6	9.0	7.8	1.9	5.7	1.3	0.6	1.7	41.5
	Clerical and administrative workers	8.7	5.1	5.4	1.6	5.2	1.1	0.3	0.6	28.0
	Sales workers	6.7	4.7	4.2	4.0	1.7	1.0	0.2	0.4	22.8
	Machinery operators and drivers	5.3	2.0	5.3	0.9	2.4	0.4	0.1	0.1	16.7
	Labourers	3.2	4.7	2.7	1.2	1.9	0.6	0.3	0.2	14.8
AQF qualification level	Certificate I or II	3.5	1.8	2.9	1.8	1.9	0.5	0.4	0.2	12.9
	Certificate III	73.8	59.3	59.6	17.6	28.2	6.8	3.0	5.0	253.2
	Certificate IV	12.0	9.8	4.7	2.1	10.5	1.1	0.3	1.0	41.4
	Diploma/advanced diploma	2.6	2.6	3.1	0.5	1.9	0.4	0.1	0.9	12.1
Full-time status	Full-time	75.8	56.9	50.2	15.8	37.1	6.4	3.1	5.0	250.5
	Part-time	16.1	16.5	20.1	6.2	5.3	2.4	0.7	2.0	69.2
Total		92.0	73.4	70.3	22.0	42.4	8.8	3.8	7.0	319.7

For notes on figures and tables, see the explanatory notes on page 22.

Table 2

In-training by state/territory as at the end of each quarter, 2010–15 ('000)

Quarter	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Australia
March 2010	143.5	105.2	91.1	32.2	37.1	12.0	4.2	7.1	432.3
June 2010	143.9	106.9	92.4	32.6	37.5	12.1	4.3	7.2	436.9
September 2010	146.2	110.1	93.8	32.8	37.4	12.2	4.3	7.4	444.2
December 2010	145.2	107.0	90.0	32.5	37.4	11.7	4.0	7.2	434.9

Quarter	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Australia
March 2011	149.3	114.6	94.2	33.9	39.2	12.3	4.5	8.1	456.1
June 2011	145.9	118.8	95.6	34.6	39.3	12.3	4.4	8.2	459.2
September 2011	145.0	119.8	95.1	34.9	38.6	12.2	4.3	8.6	458.6
December 2011	140.7	116.0	90.1	34.9	37.7	11.5	3.9	8.8	443.7
March 2012	146.0	120.7	96.4	36.7	40.6	12.0	4.2	9.8	466.5
June 2012	158.9	136.2	107.5	40.6	45.6	12.9	4.4	11.0	517.1
September 2012	150.0	124.5	102.7	38.9	44.6	12.2	4.2	10.7	487.8
December 2012	140.8	106.8	94.3	37.0	42.7	11.0	3.7	10.0	446.4
March 2013	136.8	103.5	93.0	36.5	43.3	10.9	4.0	10.1	438.2
June 2013	125.9	95.4	86.6	33.8	42.3	9.6	3.9	10.0	407.6
September 2013	128.5	100.0	89.3	33.6	42.8	9.5	3.8	10.1	417.7
December 2013	119.2	90.6	82.8	31.1	41.4	8.8	3.5	9.3	386.6
March 2014	114.8	90.6	82.5	29.6	43.1	8.9	3.7	9.3	382.5
June 2014	104.2	84.1	75.2	26.2	42.1	8.7	3.7	8.1	352.4
September 2014	101.0	80.7	74.8	24.9	42.3	8.8	3.8	7.8	344.2
December 2014	93.2	71.8	69.3	22.8	40.6	8.5	3.5	7.3	317.2
March 2015	92.0	73.4	70.3	22.0	42.4	8.8	3.8	7.0	319.7

For notes on figures and tables, see the explanatory notes on page 22.

Table 3

Commencements by state/territory and selected training characteristics, March quarter 2015 ('000)

		NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Australia
Age	19 years and under	9.2	8.3	6.5	2.2	3.0	0.8	0.4	0.6	30.9
	20 to 24 years	3.3	4.0	2.0	0.9	1.2	0.3	0.2	0.3	12.2
	25 to 44 years	3.4	3.2	2.9	0.7	2.5	0.3	0.2	0.3	13.6
	45 years and over	1.0	0.7	0.7	0.2	0.8	0.1	0.1	0.1	3.7
Sex	Male	11.4	11.7	8.4	2.6	4.9	0.9	0.5	0.8	41.1
	Female	5.4	4.6	3.7	1.3	2.7	0.6	0.3	0.5	19.2
Occupation (ANZSCO) group	Managers and professionals	0.2	0.2	0.1	0.1	0.2	0.0	0.1	0.2	1.0
	Technicians and trades workers	9.3	9.6	6.2	1.8	3.6	0.6	0.3	0.6	31.9
	Community and personal service	3.2	2.7	1.8	0.4	1.6	0.2	0.2	0.3	10.3
	Clerical and administrative workers	1.6	1.2	1.4	0.4	1.1	0.2	0.1	0.1	6.1
	Sales workers	1.0	1.1	0.7	0.8	0.4	0.2	0.0	0.1	4.3
	Machinery operators and drivers	0.8	0.2	1.2	0.1	0.4	0.1	0.0	0.0	2.9
	Labourers	0.8	1.3	0.8	0.3	0.4	0.2	0.1	0.0	3.8
AQF qualification level	Certificate I or II	1.1	0.6	0.9	0.3	0.8	0.2	0.2	0.0	4.1
	Certificate III	14.4	13.5	10.4	3.4	4.7	1.1	0.6	0.8	49.1
	Certificate IV	1.1	1.8	0.5	0.2	1.8	0.2	0.1	0.2	5.8
	Diploma/advanced diploma	0.3	0.3	0.3	0.0	0.2	0.0	0.0	0.2	1.4
Full-time status	Full-time	14.1	11.6	8.2	2.6	6.2	1.0	0.7	1.0	45.4
	Part-time	2.8	4.7	3.9	1.3	1.4	0.5	0.2	0.3	15.0
Existing worker	Existing worker	1.0	1.7	2.1	0.4	2.1	0.3	0.1	0.2	8.0
	Newly commencing worker	15.9	14.5	10.0	3.5	5.5	1.2	0.8	1.1	52.4
Total		16.9	16.2	12.1	3.9	7.6	1.5	0.9	1.3	60.4

For notes on figures and tables, see the explanatory notes on page 22.

Table 4

Commencements in each quarter by state/territory, 2010–15 ('000)

Quarter	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Australia
March 2010	30.1	23.8	19.1	7.7	8.1	2.6	0.9	1.7	94.1
June 2010	21.8	19.9	15.5	5.5	6.2	1.9	0.6	1.1	72.5
September 2010	23.6	22.0	15.9	5.3	6.3	2.1	0.7	1.2	76.9
December 2010	22.2	19.9	14.0	5.4	6.7	1.9	0.5	0.9	71.5
March 2011	29.6	27.5	18.8	7.2	8.1	2.2	1.1	1.8	96.4
June 2011	19.7	24.7	16.2	5.8	6.4	1.9	0.6	1.1	76.3
September 2011	22.2	22.5	16.2	5.8	6.3	2.1	0.5	1.2	76.7
December 2011	20.5	21.9	13.7	5.5	6.6	1.7	0.4	1.0	71.4
March 2012	31.2	26.6	21.9	7.9	9.5	2.6	1.0	2.0	102.6
June 2012	34.4	38.4	26.6	9.5	11.8	2.7	0.8	2.1	126.2
September 2012	12.7	12.0	10.9	3.9	6.6	1.3	0.5	1.0	48.7
December 2012	14.7	15.3	10.6	4.4	5.6	1.3	0.4	0.8	53.1
March 2013	21.3	17.4	14.1	5.2	7.7	1.8	0.8	1.4	69.7
June 2013	16.2	15.8	15.0	4.8	7.1	1.3	0.5	0.9	61.6
September 2013	20.2	20.6	15.3	4.6	7.7	1.5	0.5	1.2	71.6
December 2013	11.6	10.8	8.7	2.7	6.7	1.1	0.4	0.8	42.9
March 2014	17.9	15.4	12.2	3.7	8.0	1.6	0.8	1.5	61.1
June 2014	10.7	11.8	8.9	2.9	6.7	1.5	0.7	0.8	44.0
September 2014	11.2	10.4	10.8	2.8	6.7	1.5	0.6	0.8	44.8
December 2014	10.9	10.6	8.6	2.5	5.9	1.3	0.5	0.6	41.0
March 2015	16.9	16.2	12.1	3.9	7.6	1.5	0.9	1.3	60.4

For notes on figures and tables, see the explanatory notes on page 22.

Mr PISONI: In summarising those tables, we can see that there are 13,000 fewer South Australians in training than when the member for Cheltenham became Premier—a 37 per cent fall in the number in training.

The tables also tell us that there are 7,600 fewer South Australians in training than there were at the election. If you recall, from the Labor government's point of view, the election campaign was all about the transitioning economy and how Labor had the answers for jobs and the future for South Australia. Yet, there are 7,600 fewer South Australians training for that future in South Australia than there were at the time of the election. There are half the number of South Australians commencing training now than when Labor actually made the promise to create 100,000 jobs.

That is important because we were told by both the Premier and the minister at the time that training was key to the government achieving those 100,000 new jobs in South Australia. We know that the outcome of that government's promise was fewer job opportunities here in South Australia. South Australia has also experienced the biggest drop in newspaper job advertisements of all the states consistently, month by month, year by year, over the last several years.

If you lose your job or if you are entering the workforce, there are actually fewer opportunities for you to participate in a job market because there are fewer employers who are actually out there advertising for staff. Of course, that makes it very difficult for school leavers. It makes it difficult for those who want to enter the workforce after perhaps being the primary carer at home and it makes it very difficult, of course, for those who are being transitioned out of the economy, those who are losing their jobs because the economy is changing here in South Australia.

I feel that I should remind the house that, in relation to the way the Premier talks about transitioning the economy, anyone would think it is a new thing that this government has decided to do, but you will find references to this Labor government transitioning the economy 10 years ago. Ten years ago, they knew that the economy was in transition, but the job figures you see today are confirmation that they have done absolutely nothing about it.

They have been watching it. We do not know whether they have been monitoring it, but they have certainly been ignoring it because, over the last five years in particular, we have seen the jobs market in South Australia completely dry up for new players and those who want to change jobs. It is particularly difficult for those who are entering the workforce for the first time because we know that when it is a tight, competitive place to be in the workforce, when there are many more applicants than there are jobs, experience is what employers look for.

Mr Griffiths: You applied for 100 jobs.

Mr PISONI: The member for Goyder reminds me that it took me about 100 job applications before I got my initial apprenticeship, but getting that first job is such an important thing for South Australians to get started. I think there is no doubt that there is a much stronger entrepreneurial flair amongst our younger people than when I was at that age. I am very pleased to see that because we know that, in order for a state like South Australia to grow, we need to harness the uniqueness that these young entrepreneurs can bring to the South Australian economy.

We are not going to compete with the big economies, the big manufacturing economies such as China and even the United States, because we do not have the volume. We have a dollar that fluctuates very regularly. Although I think today it is sitting just below 70¢, which makes Australian products much more attractive, we do not know where that will be in 12 months' time or two years' time. Eighteen months ago, it was buying a full US dollar, so we can see there are some huge challenges there and, in order for us to compete in the world, we need to be able to offer here in South Australia those niche products that we do well, and we do niche products extremely well.

But whenever we hear an announcement by this government, it is always about trying to entice another branch office here to South Australia rather than doing the work with those young entrepreneurs and encouraging them to start their own businesses. There is an advantage to a business starting here in South Australia. It is their home, so consequently they are much more generous with the community in which they live and work.

A branch office will do what it has to do in order to be a corporate citizen, but businesses that start in South Australia are not just corporate citizens of South Australia, they are actually very strong members of the community and very strong participants in the community, so consequently their entire investment—their monetary investment, their physical investment and their social investment—is here in South Australia. We get enormous value, enormous innovation and enormous outcomes from those 146,000-odd small businesses that we have here in South Australia.

We need to ensure that we can attempt to tackle the lack of business confidence that there is here in South Australia under this government, the lack of consumer confidence and the very poor retail sales. If you look at the retail sales in South Australia compared to those in the rest of the country over the last five years, the retail sales growth has been minute compared to other states.

It is not just a small difference: it is a significant difference in the growth in retail sales which, again, tells us that people are not comfortable spending their discretionary money. A lot of people do not have the discretionary money they may have had two or three years ago because they are working fewer hours because the job opportunities are not there, and they prefer to stay in a job they have rather than risk moving to a job and not knowing the long-term security of that job even though it may temporarily offer more hours than what they are getting at the moment.

Of course, many employers are doing everything they can to keep their skilled staff on because they know how important it is to look after your staff and to ensure you have got the skills there when business does pick up. They know that their staff are their greatest assets, their customers know that, and they know the product. They know the product, they know the business, and they are advocates for the business.

I know when I had my business it was always very difficult when we had downturns in the economy. With 17 per cent house mortgage rates, not a lot of people were buying furniture at that time, I can tell you. People were struggling to pay their mortgages and that makes it very difficult as an employer. The last thing you want to do is shed staff but, unfortunately, we have seen many employers shedding staff over the last couple of years in particular and those jobs have not been replaced.

Consequently, we have seen the unemployment rate increase here in South Australia to the highest level in the country. We are not just talking about a point or two, we are talking about two full percentage points, 20 points higher than the national unemployment rate. The unemployment level now in South Australia is such that we have not had that number of unemployed people, around 70,000, in South Australia for nearly 20 years, so that gives you some idea of the crisis we have.

We would like to see the government bring forward those stamp duty relief plans that it is dripping out over the next few years. Earlier the member for Hartley made the point that people will delay their decisions until they know that they are going to get the tax relief. The government needs to bring those forward. If the Treasurer is right in his claim that these tax measures will create jobs, then why is he delaying them? Why is he telling South Australians that they are not worthy of the jobs that he believes these tax measures will deliver? Why do they have to wait three years before those tax measures will be delivered?

Of course, the government is using a sleight of hand when it says that it has reduced payroll tax. I will tell you now that announcing a rebate on payroll tax on a rolling one-year announcement does nothing for business planning and it does nothing for business confidence. If people want their businesses to grow they want a permanent reduction in payroll tax or they want a permanent increase in the tax-free threshold so that they can plan not just for tomorrow or next month or next year but for the next two or three or five years. That is how business operates. People are investing their own money, serious money, in their businesses and they deserve to know what the government's intention is when it comes to payroll tax relief. We are saying that the government should lift the threshold and give small businesses payroll tax relief.

The government is sucking money out of the economy with its increases in the emergency services levy, pulling $90 million out of the economy that could be spent on businesses that employ South Australians. This government seems to think that it can tax its way to prosperity. We saw on the front page of the paper today that a new tax is proposed for new homes in South Australia, as if that is going to help the economy—by introducing a new tax. It seems that this government is fixed on raising taxes. It goes to an election on an anti-GST campaign and immediately after the election it talks about wanting to raise the GST.

I have heard some commentators say that that is a bold move, talking about raising the GST. I will tell you now that it is bold when you talk about it before the election but it is cowardly when you talk about it after the election. There is a big difference between talking about raising taxes before an election and after an election. However, we know the way this Premier operates and, unfortunately, it is costing jobs in South Australia and it is costing opportunity in South Australia, and it is costing the future of our children here in South Australia.

Mr GRIFFITHS (Goyder) (12:12): Before I commence my remarks I might, on one of my very rare occasions, note something about the member for Unley, and congratulate him on losing 15 kilograms in weight, I think, over the last few months. He cuts a very dapper figure.

The Statutes Amendment and Repeal (Budget 2015) Bill is interesting in that when the Treasurer comes into the chamber on budget day there is the theatre attached to it all. There are the lock-ups that are held in the morning with the opportunity for media people to be briefed by the Treasurer on what the vision of the Premier, Treasurer and government is over the following year and across the forward estimates. Then the Treasurer comes in and prepares himself and we spend 30 minutes sitting here in silence listening to what that vision is in words.

It is not until we actually get this bill, which is introduced on the same day, that we learn about how it is done. There is the theatre attached to it and then there is the legislation which we are debating today about how to achieve it. There are a couple of things from a portfolio perspective that I want to talk about as shadow minister and there are some things across the community that I want to talk about as it impacts on those who I have the great honour to represent—and it is about the wider picture, too.

When you present a $16 billion budget it has to be one that provides an opportunity for people to succeed. I come from a very simple principle in life, that a job is the key to everything. It creates the ethos of actually being at work. It creates the spirit behind the need to get up in the morning or whatever time your working shift might commence. It creates the spirit to be able to

provide for those you care for. It creates the spirit for the economy to be strong to support the infrastructure and services needs. It creates the spirit for the economy to have the capacity to provide for those in our community who face challenges and need support from any level of government, but particularly from where the state has responsibility to ensure that it can do that.

In my review of the budget papers over the last nine years, since I have had the opportunity to be in this place, sometimes I nod my head in agreement, sometimes I shake it meaning not quite sure or a no, and sometimes I just throw my hands up in wonderment and think, 'How the hell is that going to work?'

I have looked through this bill. There are certainly issues from a time position. Other members of the opposition have put forward that they should be implemented far sooner than anticipated. I support those comments entirely because it is absolutely key now in the challenges that our economy faces. Even though we are only a small part of the world (1.6 million people out of an approximate worldwide population of eight billion or so), it is the need for our state to be forward thinking, the need for our state to ensure that it does its absolute best that it can for all sections of the community, and the need for our state to support business growth because from that, I believe, comes opportunity, success and capacity to do what we need to do.

It all stems back to job opportunities and that is why, in its most simplistic of terms, I get extremely upset, frustrated, disappointed and worried about the impact on those affected when you hear and see the physical demonstration of those who are unemployed. As a regional member of parliament, representing a community which across the data collection area is about 8.5 per cent unemployment, that saddens me because it means in round figures that one in every 12 people I see does not have a job and that is where a level of support is required to ensure that we give people that opportunity. Some choose not to take opportunities when they are there, but most others—and it is absolutely most others—are desperate for it and will do whatever they can to create that chance for themselves.

The budget is about visions for what the future is going to be, it is about determining priorities, it is about considering what the many and varied needs are of a community, it is about commitments that you are going to make not just for a one or two-year cycle but into the future, it is strongly about economic policy and about what is actually going to support business growth and support the growth in the community in a spiritual, physical and financial sense, but it also supports some level of population growth, and we have been low on that for a long time. I think from memory it is about the 0.9 of a per cent figure across our state. I am a very envious person when it comes to growth figures in other parts of Australia where they are experiencing far more people either moving there or being born there and all contributing to the wealth and fabric of the society in the future.

But from the population comes a simple thing called transactions. That is where somebody decides to buy something or decides on a good or a service that they need. They pay an account for it and that money in turn revolves through a community which results in transactions that go eventually to become a revenue stream for Treasury which, based on a lot of discussion, dishes it out as they determine the priorities and the needs to be and then the community benefits at large.

That is where this piece of legislation is actually very important because it sets the parameters for where the changes are to occur to implement in a physical way the actions expressed in words by the Treasurer when the budget is presented. It creates the capacity for departmental officers to know what they have to do, for taxation changes to be implemented, and for words to be given to people that give them confidence that if they do a certain thing there will hopefully be a reduction in costs. That is where there are some examples of it.

I just want to talk about a couple of things. I am rather interested in how the government intends to deal with pensioner concessions from a local government and property ownership perspective because, in the budget presented by the Treasurer in June 2014, there was information flagged that the concession would only be in place for another 12 months. There was a lot of conjecture in the months following that period about what the impact was going to be on property owners, what level of bill shock was going to exist when the council sent their first bill out post 1 July 2015, and the capacity for $190 (as the concession was then) to be taken away from those who received the full amount.

I expressly contacted the older residents in our communities—as did other members—informing them of what the proposed changes were, and asking them to express themselves in petition form. From memory, I think it was a bit over 13,000 signatures that were presented in a petition about that, and I am pleased that from that—and from the efforts of a lot of people in a lot of different ways—there has been change. However, there is a bit of devil in the detail about how the changes will be implemented.

Indeed, only last week there was some publicity about the fact that there are some time delays on the replacement for the pension concession on council rates, now called the Cost of Living Concession. I am rather intrigued that for over 30 years there had been a system in place where the concessional council rates had been applied through a credit that appeared on the council rates notice—therefore there was no publicity attached to the fact that in the last year, as it was, the government put $37 million into it—but the change that has been brought about, announced by the Treasurer and the Premier, is via a cheque to be drawn. One could argue—I think with a lot of validity attached to it—that that is just a promotional opportunity.

People will get the benefit, and I do respect that it has been increased from $190 to $200, probably about six weeks after they get their council rates. So there has been that change, how the council rate bill comes out and what the bottom-line figure on that will be. They will eventually get their cheque, signed by the Premier, and no doubt with a nice little covering letter that talks about what they have done for the community. We have since heard though—

Mr Pederick interjecting:

Mr GRIFFITHS: Yes. We have now heard, though, that thousands and thousands of letters have gone out to people—who had once been told that they did not need to reapply for it, that they did not need to fill in any paperwork, that it was an automatic transfer from the concession previously given to this new system—asking them to sign in three places for some things, that they have to put all this evidence before it, they have to seemingly justify it. It is all about checking that is going on that is being handled by a different department.

Apparently there was a system established a few years ago—it cost $7 million—that has now been disregarded, and they are doing it a different way. There is no transfer of what was previously in place and automatic ability to impact upon a computer program for it. It is just frustration for people. I am flabbergasted by this. It demonstrates to me that the thought bubble exists on how to do it, the thought bubble exists on how to best promote the government and its expenditure, but the thought bubble does not exist, in a practical way, about how to actually make it happen. That is disappointing. I am pleased that people are getting their payment: I am frustrated that it is six weeks after they may otherwise have got it.

I recognise that the allocation of funds extends to those people who are renters who have not previously received any concession; in this case I think a little bit over approximately 40,000 properties will receive $100 per year. There is a quantum of dollars available to support people, as there should be, because the cost of living pressures are driven by the cost of these instrumentalities and the services that are provided—which, in many cases, are actually controlled by government. So government is actually assisting people by giving a concession on a cost impost that it controls.

It has been interesting one. Those people who are renters who get their $100, for them it will not be until early next year. That takes something to work out, and I can understand that; it is necessary for them to apply because there is not necessarily an easy transfer opportunity for that. However it just shows, 'Please don't just think of the idea, but consider the implications of how it is implemented as well', because that needs to occur.

I also want to talk about the extractive minerals royalty from local government. I believe it is one that impacts completely upon regional LGAs—and of the 68 councils, 19 are in the metropolitan area, so it is 49 councils across regional South Australia that are particularly potentially impacted by this. The Local Government Association has undertaken some consultation with its member councils and has looked at the cost implications of this. In the collective sense we know that the budget papers talk about a $1 million impost. I am frustrated by that.

Indeed, I would hold a position that, where these extractive minerals are used, they are used for road-making construction purposes, they are undertaken in areas where quarries, on a commercial basis, do not exist, and they are undertaken in such a way where there is negotiation with the landholders who have those sites or indeed the council-controlled reserves from which they are extracted. They are all done on improving infrastructure and they are done on the basis of a reasonable cost, and that cost being kept as low as possible. But now we find that, by the implementation of this piece of legislation and this budget paper, there is an additional $1 million cost.

The fact that there was no consultation with local government beforehand is, apparently, excused by the government's saying that it is part of a budget decision, you cannot talk to people about everything and you have to keep some things to actually occur on the day and this is one of those. I know that the Local Government Association has met with the Treasurer about this and the Treasurer listened to the argument put and the issues raised. I am not aware of any form of resolution in the opposite to what has occurred so it appears as though the budget papers will reflect the change; and the Treasurer has not introduced any amendments to it so it will continue. It is a $1 million cost upon regional South Australia and any cost upon the regions disappoints and frustrates me immensely.

I do support amendments about taxation and how that is treated, because it has to be based around supporting investment opportunities, business growth and job outcomes that will come from it. It is an important one. There are a couple of issues that I want to raise which, again, frustrate me. Other members have talked about the emergency services levy and the changes via the removal of the remission. This was first done last financial year. The impact of that was an immediate additional cost of some $90 million to property owners. I come from a regional community where some people who, by virtue of owning farming operations, are involved in a significant amount of land, in many cases with a reasonably high value attached to it. I have seen this on a firsthand basis. One of my constituents showed me their emergency services levy bill where there had been an 1,173 per cent increase.

The farmers I spoke to, many of those being excellent people, have their own farm units and contribute to the safety of the community by responding to a fire incident when it is on a broadacre situation. They are damn fine people who do excellent work. They could accept a change but the percentage increases are horrendous. The dollar impact is not quite that amount because it starts at a lower base than what a home might be in some cases, but they said to me, 'Steven, we can support up to a 100 per cent increase. We can live with that. We understand the need to contribute to the services that are provided in our region. We support the CFS and we want them to have the resources that they need,' and they know the state is in financially challenging times.

Suddenly, when they get these bills for 11 times that, on some occasions, they start to think about what they really want to do and they express themselves. I have very vivid memories of about 45 farmers in my electorate in a meeting that was covered by one of the television news stations and they just said they are not going to help anymore. That worries the life out of me because the strength of a regional community is based on the willingness of people to come together when times need it and to work for the common good. I heard that, and I hear from other volunteer members on Eyre Peninsula who have decided to not support firefighting efforts on government-controlled land, and it shows the separation of the community, which worries the life out of me because, unless you have that strength, you also have the risk of failure and tragedy occurring. That disappoints me immensely.

It was not just last year when there was a $90 million impost. I believe the figure is a 9 per cent increase in the emergency services levy cost to property owners this year, from the 2015-16 year. That creates a level of tension and it is an undertone that is there all the time. It makes people think about what they really want to do, it takes away their willingness to instantly respond to things, and it creates a level of uncertainty. It worries the life out of me.

In the last few minutes I want to talk about a couple of things that have impacted on the Goyder electorate. One is the drugs epidemic, and there are members in this place who have been involved in community forums. There are what I classify as general drugs and alcohol that are talked about but, indeed, it is the ice epidemic that will ruin society. I attended a meeting of about 300 people in Maitland. It was an education forum convened by three people who work in the hospital at Maitland

and it was done completely voluntarily. It was not part of their work to do it. It was just because they wanted information to be available for the community.

A very broad cross-section of people—not just in age but in locality—were there that evening and we heard a variety of speakers. It scared the life out of me when a person from Drug and Alcohol Services SA said that in Australia in the next 12 months 2 per cent of the population will try ice and that in South Australia 2.2 per cent of the population will try ice.

Being a bit of a numbers-based person, because the 300 people who were there represented two different council areas with a total population of 25,000 people, that means 550 people who live in two of the five council areas I represent will try ice this year. I had to ask, 'Is that true? Is it in that number?' because when people hear that it is 2 per cent they think, 'Oh, 2 per cent isn't much,' and do not worry about it but, when you consider that in a physical sense it is potentially 550 people, it does worry you.

That is the scourge of our society and no matter what we do we have to try to make predominantly our young people reflect upon the fact that, potentially, what they are about to put in their body is going to change them forever—physically psychologically, emotionally and in every relationship they have ever had—and that it is going to kill them or ruin them or something in between.

At that public meeting, a man I knew stood up and reflected upon the fact that he has a family member who has dealt with the scourge of drug addiction and ice. He quoted to us the challenges when it comes to facilities being available to assist in rehabilitation to help them get through the dilemma and the torment of what they are doing. He talked about not just the distances involved but also the challenges and the time frame in getting to them—in some cases, it is three months—and the associated cost.

He asked me if I had an answer, but I did not. Do I know all the information? No, I do not. I have written to the Minister for Health asking for a briefing about what is available in the electorate to assist people in that way, because I need to upskill myself. I need to be like the 300 people who attended the public meeting with me—to actually find out what they have to look for, find out where the services exist, find out where the gaps in those services are and identify where we can help people get a future.

It is not something that we want to talk about; it is something that we believe will happen to others—and by 'others' I mean others who are not associated with our families or our friendship group—but the odds are that it will. If it is going to be 2.2 per cent of people who will try the absolute madness of getting into this stuff and doing crazy things with their bodies, we all around this building and everywhere have a responsibility to become involved, to educate ourselves, to know what we are looking for and to stand up and help out.

The parliament has many reasons for being here. Legislation is its absolute focus and budget and provision of services and infrastructure are the key, but actually ensuring that our state has a future is what we are all here for. This bill and this legislation are a bit attached to that, and I hope that the future that we are all going to be a part of, as long as God gives us an opportunity to take a breath, is a good one for our state.

Mr PEDERICK (Hammond) (12:33): I hope my throat can get through a speech on the Statutes Amendment and Repeal (Budget 2015) Bill, as I have been getting a bit too excited at the football. In regard to this bill, the government has put in place some so-called stamp duty relief for South Australians, but what we see is some coming in immediately, but then some that will not have the full impact for another three years.

I certainly note that when the bill was introduced the stamp duty would be abolished in relation to non-real property transfers and non-quoted marketable securities. As I indicated, by 1 July 2018 stamp duty will be abolished on non-residential real property transfers, and so 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 (obviously other than land) and intellectual property will obtain the benefit from the abolition of stamp duty on non-real property transfers. I note that from 18 June this year only property transfers involving land will remain liable for conveyance duty.

What we need is the abolition of this stamp duty fast-tracked so that people can take full advantage. We have a state, as has been described by previous speakers in regard to this bill, that is in dire trouble—dire trouble after almost 14 years of this Rann/Weatherill Labor government. Thousands of people are leaving this state and thousands are losing their jobs.

If we look at the dire state of our mining industry, during the so-called winter break I had the good fortune to visit Moomba and Leigh Creek in the Cooper Basin and Port Augusta, which are all connected to the mining of coal or oil and gas extraction. It was just after we were there that there was an announcement from Santos that some of their jobs had gone: David Knox had left and some jobs were moving in the company. This was apart from hundreds of jobs that have gone—in fact, it may have even just touched on thousands—from Santos in recent times.

A friend of mine was working as part of the program in Roma, Queensland, and dealt with the issues between farmers and the company. Knowing Andrew, he would have done a magnificent job. Obviously, as some of that work wound down, as production goes into place instead of exploration and drilling, things change. What is hurting us is the price of our raw materials, but we also have a good statutory base; we also need to have a good government in place to make sure we do the best with what we have.

We have seen the gas price collapse and that is cutting investment into the oil field but, in regard to what is happening at Leigh Creek and, as a direct relation to that, Port Augusta and the power station, I note my father-in-law worked for many years at Port Augusta as an employee of ETSA and did a great job in helping to deliver power to this state. We had a full briefing as we toured around Leigh Creek with the member for Stuart, and I acknowledge the people at Alinta who not only discussed things with us about the mine in the town but then out at the mine site gave us a very thorough look at the operations.

It is interesting to note that as part of those operations a new 700-tonne excavator had just turned up and was being put together with the final touches being put to it as we were there. It was a PC7000 Komatsu and, from what I understand, the first one of its type delivered anywhere in the world. I understand the 8000 model is being delivered elsewhere and used, but we were a bit bemused because this machine was being delivered, and I think it is worth at least $14 million. Five German engineers were helping put it together, yet the coalmine at Leigh Creek may close by the end of the year.

This will have disastrous consequences for Leigh Creek and surrounding communities. We met with people from the mine, and some in the town, but also with surrounding station owners who have appreciated the many years of extra services they have received just through the mining industry operating in their area—the hospital is one instance and having a doctor there on duty. This will have a direct impact on hundreds of jobs at Leigh Creek and, I understand, 150 jobs at Port Augusta.

The debate gets back to renewables versus coal. I note that renewables are not yet core energy, they are not our base load. It is a good idea, but we have to look at what the policy mix is doing in relation to coal in this country, especially when you look at the east coast of Australia. There could be anything from 150 to 200 ships offshore, at Newcastle and other ports, not even booked in for a load of coal but hoping to get a load, just like a truck might on land, so that they can take it to countries that are using it for base-load power.

I suppose the point I am trying to make is the simple fact that we are essentially killing a coal mine 15 years ahead of its reserve, as the people at Alinta have informed me. In return, we will be getting our base load from Loy Yang in Victoria, from another coal mine. I think we find ourselves in a strange situation. As I said, I think renewables are a great thing—I have solar panels on my farmhouse at home—but it can have this obvious negative impact on power sources and other things that have been operating previously. It is going to be a big changeover and a big renewal for those areas that are affected.

Getting back to stamp duty, I mentioned there would be a removal of stamp duty on the transfers of gaming machine entitlements, and that the stamp duty surcharge on the transfer of a gaming machine business will also be abolished. I note that there will be a phased abolition on conveyance duty on non-residential real property transfers between 1 July 2016 and 1 July 2018.

Just as I indicated earlier, I think this could be fast-tracked and introduced immediately to help give this state a kickstart.

In the commentary in relation to this bill, it is estimated there will be up to 6,000 non-residential real property transfers that will benefit from the abolition of stamp duty. I wonder how many more would benefit if this was fast-tracked. It is certainly noted that stamp duty will continue to apply to non-exempt transfers of primary production land. In relation to primary production land, the Stamp Duties Act is being amended in this bill to confirm Revenue SA's longstanding assessing practice in relation to stamp duty exemption for interfamilial farm transfers—in particular, in relation to transfers to and from certain types of trusts.

I think that is certainly a great thing as part of this bill. I certainly believe that for too long the Labor government has not recognised the power of agriculture and what it does for this state. It added up to $17 billion of finished food value to the South Australian economy in this financial year. It is only when we see what happens when everything slows down around the state, including Santos and Arrium—Leigh Creek is being shut down; Olympic Dam are not having a major expansion, but they are looking at their leaching technology to get that uranium out—that Premier Jay Wetherill suddenly realises what I believe: that the core backbone of this state's economy, as it has been since 1836, is agriculture.

For so long, it does not get its place in the sun when it should. The problem we have these days is that you get kids going to school who do not have a parent, grandparent, uncle or auntie who work on the land. So, you get children in schools who think eggs come in cartons and milk comes in bottles, and things like that. Sure, it does, but where does it come from before it gets to the supermarket? That is the thing.

That is why it is so great to have something like the Royal Adelaide Show on at the moment, which will probably get at least half a million visitors. People can have a good look at a whole range of displays there. They have petting areas for children, and a whole range of animals, and it is a good education. We need to make sure that people throughout our community fully understand how vital agriculture is for this state. It is always there in the background, and I think it has been taken for granted for too long.

In relation to the stamp duty amendments with interfamilial transfer of farming property, it actually extends the scheme established in the Stamp Duties Act to certain trusts, including discretionary trusts, unit trust schemes and self-managed superannuation funds. I welcome that piece of the legislation and what it will do for transfers, because for various reasons families could have a self-managed superannuation fund or be involved in a trust, as I am, in relation to primary production land. I think the extension of that stamp duty exemption will be well received but, as I said, we need to make sure that we recognise agriculture for what it does for this state and this nation.

As part of this bill we see that the Save the River Murray levy has been abolished from 1 July 2015. Yes, it will save households on average $40 a year and most businesses over $182 a year. This money amounted to around $25 million per annum, but we note that the measures funded by the Save the River Murray levy will continue to be delivered, which means it has to come out of general revenue without the former tax base to support it. That is something that the government needs to take careful account of, especially with the chest thumping in regard to what the government is saying should be their contribution as a state to the management of the Murray-Darling Basin.

The government has a crack at what New South Wales are or are not doing in relation to their commitments, but I remind the government that they need to keep up all their commitments in regard to the River Murray, especially when I am the member at the end of the river. I am very passionate about what goes on in regard to the River Murray because, as we all know, a change in Queensland can change everything down to the bottom end of the river. I note, when the River Murray did recover in 2010, that it was Darling River water that came down first, because the river was so muddy. Generally, we recognise that the Darling side of the basin (the northern basin) is not generally the one where the water comes from but, the way the drought turned up, that was the one that saved us earlier, before the rainfall came on the other side.

The Save the River Murray Fund will be wound up from 1 July 2016 and the moneys in the fund supposedly will be fully spent, but we will have to make sure that all our salt diversification

schemes and other environmental works are kept up to make sure that we do get the outcomes on the bottom end of the river which are so vital, and not just for the environment. I recognise that the fund does assist in the management of our water supply not only for Adelaide but also for people who are on just-in-time pipelines like myself with the Tailem Bend to Keith pipeline at my place at Coomandook, and other pipelines that branch as far as Ceduna now and probably supply about 20 per cent of the water to the Far West Coast of this state. You have to think about that: that is many hundreds of kilometres that we are pumping that water.

The member for Goyder talked about the royalty payable on the minerals recovered by councils in regard to their borrow pits, which has been put in at 55¢ per tonne from 1 July 2015. This is certainly causing some angst, as the member for Goyder indicated, through local governments. It is another cost which will go straight back to ratepayers. The issue we have here is that it is almost a cost shifting exercise where the government decides, 'We want to make more out of the extractive minerals.' I acknowledge that the government represents the Crown and that the Crown owns the minerals, but it is having an effect and the local government sector (as it should) is making quite a noise about this royalty and the impact on councils.

Councils do a great job, and I think that in the future—and I throw this one out there—there may be some discussions, especially in some regional areas, about further amalgamations. That is only my personal opinion. I am not saying it should happen but I am saying that, perhaps, we should have the discussion because I believe there are certainly many areas of common interest, and I will be interested in any letters and emails I receive after making those comments. Anyway, be that as it may, I think that there is potentially some movement there.

One thing I want to talk about in the closing few minutes I have available is the repeal of the Hindmarsh Island Bridge Act 1999. Certainly we would all remember the controversy about the Hindmarsh Island Bridge being proposed and then built. I do not want to go into the full history of that, but I think that, from memory, it was built for only about $3.2 million, and it is a fair bridge, a fair construction. When you can compare that with the footbridge over the Adelaide Oval at $40 million it confirms my suspicion that I should probably get into the bridge-building game in the future.

Dr McFetridge: Footbridges.

Mr PEDERICK: Yes, footbridges; the footbridge-building game. So what happened in relation to when the bridge was built and then the Hindmarsh Island Bridge Act was brought in is that it was a tripartite deed between Binalong at the marina, the council and the state government. It related to the fact that whenever people made a subdivision on a property payments had to be made to that tripartite fund.

Certainly the repeal of that will allow for more development applications, and certainly Hindmarsh Island is one place in my electorate, apart from others, where people are putting their hand up and saying, 'I want to be developed now,' and so it will stop being a disincentive for people wishing to develop and they will be able to put their hands up and say, 'Let's go.'

I believe this is a move into the future. It will assist there and, hopefully, we can see some positive outcomes. As I said, one of the main things I am interested in in this state is that we give agriculture the time, the effort and the money that it deserves.

Dr McFETRIDGE (Morphett) (12:53): This Statutes Amendment and Repeal (Budget 2015) Bill is the second part of the two-part process we go through every year after the budget bill and then the estimates committees. This is where the devil is in the detail of how the budget savings and expenditure are going to be implemented. It says on the front page:

> An Act to amend various Acts, and to repeal the Hindmarsh Island Bridge Act 1999, for the purposes of the 2015 State Budget.

I will just remind the house and those who may read this that some of the bills that are being amended are the Gaming Machines Act 1992, the Land Tax Act 1936, the Local Government Act 1999, the Motor Vehicles Act 1959, the Rates and Land Tax Remission Act 1986, the Stamp Duties Act 1923, the Stamp Duties Act 1923 (Corporate reconstructions), the Stamp Duties Act 1923 (General tax reforms) and the Stamp Duties Act 1923 which varies a number of transfers of properties and other personal property to be amended there. The Supreme Court Act and also the Tax Administration

Act, as well as the Water Industry Act, are being amended; and, as we have just heard from the member for Hammond, the Hindmarsh Island Bridge Act is being repealed.

As they say, the devil is in the detail. A classic example of where the devil can be in the detail with this legislation is the 2010 legislation on the national regulation of health practitioners, where we were being asked to mirror legislation in this place to harmonise legislation, to introduce the national regulation of health practitioners. In the bill that was put before the house, there were three lines that referred to mirroring legislation that had been introduced in Queensland. The thing is that there were 300 pages of legislation introduced in Queensland, so we do need to know what the detail is.

It was at the insistence of the opposition that those 300 pages were included in a schedule to that bill and there for everybody to read. It was not hidden in legislation so that you had to go to the library or investigate through the *Hansard* what we were actually talking about. The need to amend these various acts is imperative. We want to have savings brought on as quickly as possible. I encourage the government to do that.

I will quickly highlight two areas that are of particular interest to me. One is the disability portfolio for which I have the shadow ministry. The Land Tax Act and the Motor Vehicles Act are both being varied to bring in remissions, reductions in taxation and registration fees for people with disabilities, and I think that is a very good thing. The big concern for me, though, is in another area, in my communities and social inclusion portfolio, where the Rates and Land Tax Remission Act is being varied.

I will just remind the house of the debacle we had with CASIS. CASIS started in 2003, I think it was. The bill was going to be $600,000 to introduce this Concessions and Seniors Information System, which was going to regulate and organise remissions for pensioners and others who were claiming on power and public transport, even funerals, I understand. It was an absolute cock-up and it was pulled. It started under the Premier and went through various ministers and, under minister Bettison, it has now been pulled. I think the final cost is over $7 million—$7 million just gone down the tube. That is a disgrace.

I have no faith in the systems that are being touted at the moment. We just need to look at EPAS and Oracle and the ICT systems that are being put in place by this government. I remember TRUMPS, the traffic user management program. Like CASIS, it was mentioned by the Auditor-General three or four times. Concerns were raised. The Auditor was pushing very hard to make sure that this government implemented these programs as efficiently as possible and at minimal cost to taxpayers, but, more importantly, so that they actually worked. I have no faith in this government implementing ICT programs that actually work without spending millions and millions. I think we are up to $430 million on EPAS at the moment, which makes the $7 million for CASIS look small, but $7 million is a lot of money.

I look forward to the budget bill being passed by this place and the various amendments being brought in, but I also look forward to the taxpayers of South Australia being given a fair go by this government, because that is all they want. They just want a fair go. They are willing to pay their taxes. They are willing to pay their levies, but they want to see some benefit, not just for themselves but for the whole of the state. It is very important that we examine the budget and then pass it through the second stage, repealing one act in this case and amending others, so that the government can get on with doing what it needs to be doing, and that is giving South Australians a fair go.

Debate adjourned on motion of Hon. T.R. Kenyon.

Sitting suspended from 12:58 to 14:00.

STATUTES AMENDMENT (VULNERABLE WITNESSES) BILL

Assent

His Excellency the Governor assented to the bill.

CORRECTIONAL SERVICES (PAROLE) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (SUPERANNUATION) BILL

Assent

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (SERIOUS AND ORGANISED CRIME) BILL

Assent

His Excellency the Governor assented to the bill.

Petitions

PUNTHARI

Mr KNOLL (Schubert): Presented a petition signed by 44 residents of Punthari and greater South Australia requesting the house to urge the government to take immediate action to reduce the speed limit in Punthari to 60 km/h, to implement bitumen side shoulders on Ridley Road with proper line marking, to install winding road signs through Punthari, and to correct intersection signs and corner signs on the whole of Ridley Road.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Speaker—

The following reports have been received and published pursuant to section 17(7) of the Parliamentary Committees Act 1991—
Public Works Committee—
524th Report entitled Loxton Research Centre Redevelopment
525th Report entitled Kangaroo Creek Dam Safety Upgrade Project
Auditor-General—
Examination of the local government indemnity schemes Report September 2015
Report on the Adelaide Oval redevelopment pursuant to section 9 of the Adelaide Oval Redevelopment and Management Act 2011 for the designated period 1 January 2015 to 30 June 2015 Report August 2015
Members, House of Assembly—
Register of Members' Interests—Registrar's Statement June 2015
Travel Entitlements Annual Report 2014-15

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

Regulations made under the following Acts—
Fees Regulation—Public Trustee Administration Fees—Amendment

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

Dangerous Area Declarations—Authorisations under Section 83B of the Summary Offences Act 1953 1 April 2015 to 30 June 2015
Return of Authorisations issued to Enter Premises under Section 83C(1) of the Summary Offences Act 1953—1 July 2014 to 30 June 2015
Return of Authorisations issued to Enter Premises under Section 83C(3) of the Summary Offences Act 1953—1 July 2014 to 30 June 2015
Road Block Authorisations under Section 74B of the Summary Offences Act 1953—1 April 2015 to 30 June 2015
Regulations made under the following Acts—
Bail—General
Sexual Reassignment—General
State Records—Exclusions from application of Act
Subordinate Legislation—Postponement of Expiry

Rules made under the following Acts—
District Court—
Civil—
Amendment No 30
Supplementary—Amendment No 1
Magistrates Court—Civil—Amendment No 9
Supreme Court—
Civil—
Amendment No 29
Supplementary—Amendment No 2
Corporations—
Amendment No 8
Supplementary—General

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

Development Plan Amendment—Rural City of Murray Bridge—Monarto South
Regulations made under the following Acts—
Development—Renewal of Social Housing

By the Minister for Housing and Urban Development (Hon. J.R. Rau)—

Regulations made under the following Acts—
Community Housing Providers (National Law) (South Australia)—
Transitional Provisions

By the Minister for Industrial Relations (Hon. J.R. Rau)—
Return to Work Corporation of South Australia Charter

By the Minister for Mental Health and Substance Abuse (Hon. J.J. Snelling)—
Regulations made under the following Acts—
Tobacco Products Regulation—Smoking Bans in Public Areas—Longer Term

By the Minister for Finance (Hon. A. Koutsantonis)—

Regulations made under the following Acts—
Southern State Superannuation—Miscellaneous

By the Minister for Disabilities (Hon. A. Piccolo)—

Rules made under the following Acts—
Authorised Betting Operations—Gambling Codes of Practice (Predictive
Monitoring)—Variation Notice 2015

By the Minister for Agriculture, Food and Fisheries (Hon. L.W.K. Bignell)—

Regulations made under the following Acts—
Fisheries Management—
Demerit Points
Miscellaneous Fishery

By the Minister for Local Government (Hon. G.G. Brock)—

Local Council By-Laws—
City of Mitcham—
No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Local Government Land

No. 4—Roads
No. 5—Dogs
No. 6—Cats
No. 7—Waste Management
City of Prospect—
No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Local Government Land
No. 4—Roads
No. 5—Dogs
City of Salisbury—
No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Roads
No. 4—Local Government Land
No. 5—Dogs
No. 6—Waste Management
City of Tea Tree Gully—
No. 1—Permits and Penalties
No. 2—Roads
No. 3—Local Government Land
No. 4—Dogs
No. 5—Moveable Signs
No. 6—Waste Management
City of Unley—
No. 1—Permits and Penalties
No. 2—Roads
No. 3—Local Government Land
No. 4—Moveable Signs
No. 5—Dogs
Corporation of the Town of Walkerville—
No. 1—Permits and Penalties
No. 2—Local Government Land
No. 3—Roads
No. 4—Moveable Signs
No. 5—Dogs

By the Minister for Transport and Infrastructure (Hon. S.C. Mullighan) on behalf of the Minister for Education and Child Development (Hon. S.E. Close)—

Environment Protection (Water Quality) Policy 2015 under the Environment Protection Act 1993
Regulations made under the following Acts—
Animal Welfare—Miscellaneous
Radiation Protection and Control—Ionising Radiation

By the Minister for Transport and Infrastructure (Hon. S.C. Mullighan)—

Commissioner of Highways, Leases Granted for Properties held by—2014-15
Regulations made under the following Acts—
Motor Vehicles—
Accident Towing Roster Scheme—General
Exemption from registration and insurance for motor vehicles—Fire

Parliamentary Procedure

ANSWERS TABLED

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

Mr Marshall: Hurray! What year are they for?

The SPEAKER: I call the leader to order.

Ministerial Statement

PUBLIC INTEGRITY

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:07): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: Since becoming Premier, I have made strengthening the structures that support public integrity one of the government's highest priorities. Later today, the government will introduce three bills: to regulate the business and dealings of lobbyists; to fundamentally rewrite the Development Act; and to improve the transparency of the Parliamentary Remuneration Act. The government will also progress debate on the Statement of Principles for Members of Parliament, authored by the late Hon. Dr Bob Such, with the intention of securing its passage.

This raft of legislation will build on our work to improve upon the already stringent regime of public integrity in South Australia. Our regime includes the appointment of the Independent Commissioner against Corruption, political donation reform and increased proactive disclosure of government information. Our new legislation for lobbyists will govern their interaction with the political process, ensuring greater transparency in their activities and safeguarding against the improper intrusion of sectional interests in government decision-making.

The new lobbyist act will include the following measures: ministers will be precluded from acting as a lobbyist for two years after leaving office; lobbyists will be prohibited from holding government board positions; and success fees will be prohibited.

With respect to planning, the government will today move to introduce a bill to fundamentally rewrite the Development Act. While much of the focus of this highly anticipated new legislation will be on promoting efficient, orderly and sustainable development, the integrity measures contained in the bill are of crucial importance. Our new planning system will promote development while protecting the livability we value. Its capacity to resist the undue influence of vested interests will be strengthened.

The bill will contain the following: removal of elected officials from development assessment panels, preventing the potential taint of politics from the approval process; the ability for independent scrutiny by the newly established independent state planning commission before developers may fund council-initiated development plan amendments; and the establishment of environment and food production areas which can only be altered with parliamentary approval. The Deputy Premier will outline in greater detail the further elements of the planning reform.

I will also introduce legislation to increase the transparency of parliamentary remuneration. The Parliamentary Remuneration Act will be amended to permit the Remuneration Tribunal to abolish a series of allowances, benefits and payments, including travel allowances, committee payments, gold pass entitlements, and ministers' and premiers' expense allowances. It will also invite the tribunal to assess allowances for possible inclusion in the parliamentary base salary. The legislation will also remedy an anomaly through the introduction of an additional salary for shadow ministers.

I also indicate my intention to address the question of ministerial expenses, building on the proactive online disclosures introduced earlier this year. The new format provides for the timely publication of expenditure details with greater consistency in the presentation of data. All ministers are required to be prudent in their use of taxpayers' dollars, and these new arrangements will ensure greater scrutiny of ministerial expenses.

Finally, I can advise the house of the government's intention to conclude the debate concerning the Statement of Principles for Members of Parliament. An incidental amendment to the ICAC arrangements will be made to clarify that the remedy of any breach of the principles is a matter for the parliament.

The integrity measures I have announced today are directed at ensuring that our political processes remain corruption-free. In a rapidly internationalising South Australian economy, it is vital that we preserve and enhance one of our great competitive strengths—that is, maintaining a system of government that is open and honest.

PLANNING REFORM

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) (14:14): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.R. RAU: Reform of the state's planning system is a key component of our strategy to grow the economy by making South Australia the best place to do business. Later today, I will give notice of my intent to introduce a bill to substantially rewrite the Development Act. This is the beginning of the implementation phase of the work of the Expert Panel on Planning Reform.

Over the last three years, a series of targeted reforms have clearly demonstrated the way planning reform can provide targeted stimulus to the economy. Be it reform delivered in partnership with the Adelaide City Council to grow a more vibrant city centre or our inner and middle-metro growth project or our Coordinator-General package of case management, we have demonstrated an outstanding capacity to support the development sector and improve design outcomes and housing choice.

Now it is time to deliver this kind of reform across the state and throughout the system. While we have a planning system with some policy levers to enable economic growth, these levers alone are increasingly not enough. There is always capacity to improve to ensure that the planning system meets our contemporary and future needs. Calls for this planning reform have come from far and wide.

The government believes our planning system must be the most competitive in the nation if we are to attract and retain the investment we need to provide jobs and services for future generations of South Australians. Our reform of the planning system will further unlock potential to drive economic growth. More than that, it will be sufficiently robust to form part of our government's action to combat climate change through promoting the right kind of development in the right places. It will support the development of more active, healthy and vibrant neighbourhoods through the promotion of high-quality design solutions. It will support a better mix of housing options to provide the market with quality, affordable housing and living.

We will unlock growth potential by offering flexible options to fund infrastructure and to reduce the price to homebuyers by spreading payments over time. We are proud to have had a good system; now is the time to make it outstanding. Put simply, it should be the best and we should work to keep it the best.

With more than 23,000 pages of regulation in our system, it should not be surprising that over 90 per cent of development applications are forced to go through the most onerous and lengthy assessment process. That is why, two years ago, we launched a comprehensive review of our planning system. It is to the great credit of all with an interest in the planning system that there has been widespread and constructive engagement on this important issue.

We gave the Expert Panel on Planning Reform, which led the process at arm's length from government, a mandate to examine every aspect of the planning system. The panel's final report, The Planning System We Want, contains ideas that form the basis of this planning reform. The final report does not shy away from inconvenient truths, it presents a platform for reform that few parliaments are afforded.

This is an opportunity to introduce profound changes to the planning system to meet contemporary needs. Reforming our planning system goes beyond legislation though a new act will, of course, be the centrepiece of the reform. While we believe these reforms will be welcomed by households looking for certainty when they engage with the planning system and by the building industry looking to reduce holding, assessment and approval costs, we also believe the focus on up-front engagement when planning policies are set will produce better outcomes for our communities.

Our work aims to ensure Adelaide continues to build on its standing as one of the world's great cities in which to live and work. Over the coming months, the department will engage in a comprehensive campaign to ensure councils, business, professional and community groups have access to details of the bill. Workshops and events with councils, planning professionals, community and business groups will enable this parliament to engage with these groups.

CUMMINGS, MR BART

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) (14:20): I seek leave to make a ministerial statement.

Leave granted.

The Hon. L.W.K. BIGNELL: It is with deep sadness and the greatest respect we pay tribute to an Australian racing legend, trainer Bart Cummings. James Bartholomew Cummings OAM passed away peacefully in his sleep in the early hours of Sunday 30 August at his home in New South Wales at the age of 87. Our deepest sympathy is extended to his wife, Valmae; his son and fellow trainer, Anthony; his daughters Anne-Marie, Sharon and Margaret; and his 14 grandchildren, including his training partner James.

In a career spanning six decades, Bart Cummings trained the winning horses of almost 7,000 races. Amongst these were 760 stakes races and 268 group 1 winners, the Caulfield Cup which he won on seven occasions, the Newmarket Handicap which he won eight times, and the VRC Oaks which he won on nine occasions. Foremost in our memories though are his 12 victories in the Melbourne Cup, Australia's most prestigious and richest horse race. In the history of the Melbourne Cup, the next most successful trainer won five races more than 100 years ago.

Born in Adelaide in 1927, James Bartholomew Cummings spent his early years surrounded by racehorses. He learned about horses watching and listening to his father, a trainer of an earlier era famous for not sharing hard-earned knowledge and using instincts to understand and bring out the best in his racehorses. In 1974, Bart Cummings became the first trainer in the British commonwealth to train the earners of more than $1 million in prize money and he was announced as ABC's Sportsman of the Year.

In 1982, he was awarded the Order of Australia for services to racing and in 1988 became the first trainer to reach earnings of greater than $6 million in prize money. In 1990, he scored an unprecedented treble, topping the trainers' premierships in Adelaide, Melbourne and Sydney.

In 1991, Bart Cummings was an inaugural inductee into the Sport Australia Hall of Fame. He was an inaugural inductee also into the Australian Racing Hall of Fame. In 2004, the Victoria Racing Club made Bart Cummings a life member, the first trainer to be bestowed this honour. The 2,500 metre open handicap Melbourne Cup qualifying race was renamed The Bart Cummings Race by the Victoria Racing Club.

During his long and illustrious career as Australia's greatest trainer, Bart Cummings experienced trials and financial setbacks. In the 1990s he suffered an investment disaster which left him in debt of more than $10 million and would have been catastrophic for most. It is an indicator of Bart Cummings' strength of character that he brushed himself off and regrouped, going on to even more success. He said:

> I still had my family and my health and my confidence in the future. I still had racing. All I lost was money. And I'd never been in it for the money.

A man born from an era of honour, meeting his commitments to others was an intrinsic element of Bart Cummings' character. Of training horses he said:

Be patient, feed them well, be kind to them, the same as you do with humans.

Bart Cummings represents the kind of Australian we all aspire to be—successful, genuine, trusted, great company and warmly regarded by all who knew him. Indeed, Bart Cummings was a person who mixed as easily with royalty and prime ministers as he did with strappers and punters down at the racetrack.

Bart Cummings was a man who lived his life well and who was loved by those whom he shared it with. In the days before he passed, Bart celebrated his 61st wedding anniversary at his home surrounded by his great loves—his family and his horses. On behalf of the government of South Australia and everyone in this place, we offer our condolences to the family of Bart Cummings and all who have felt the loss of this great Australian.

Parliamentary Committees

PUBLIC WORKS COMMITTEE

Ms DIGANCE (Elder) (14:26): I bring up the 526th report of the committee, entitled Glenelg Wastewater Treatment Plant Hazardous Areas Upgrade Project.

Report received and ordered to be published.

SOCIAL DEVELOPMENT COMMITTEE

Ms WORTLEY (Torrens) (14:27): I bring up the 38th report of the committee, entitled Comorbidity Inquiry.

Report received.

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to parliament today members of the Vietnamese delegation under the Australian Political Exchange Council, who are guests of the member for Newland. I also welcome to parliament students from Grant High School, who are guests of the member for Mount Gambier; members of the Rotary Club of Noarlunga, who are guests of the member for Kaurna; students from All Saints Catholic Primary School, who are also guests of the member for Kaurna; and students from Flinders Park Primary School, who are guests of mine.

Question Time

HOSPITAL BEDS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:28): My question is to the Minister for Health. Can the minister confirm to the house the net loss of inpatient beds that will be created by the planned closure of the Repatriation General 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) (14:29): No, I can't, because that will be driven by a number of factors. Obviously, we won't reduce the number of beds—we won't reduce any beds—until we are sure that we have the capacity in the system that we need, and there will be other factors that will drive that. There will be a number of moving parts in our health system but I am not in a position at the moment to confirm how many beds. I cannot be more clear than I have. It is my ambition to reduce the number of acute beds we have down close to the national average, but we also need to increase the number of subacute beds that we have (we were underdone), and we are working on mechanisms to enable us to do that, but we do not have a particular target.

The SPEAKER: I call to order the members for Hammond and Bragg. Leader.

HOSPITAL BEDS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:30): Supplementary, sir: given that the minister has confirmed to me in his questions without notice response (which I have received today) that there are 250 beds at the Repatriation General Hospital, and the government has already

confirmed that 55 of those beds will be transferred to the Flinders Medical Centre, 24 to the Glenside precinct, 15 for the hospice and that 30 older persons mental health beds will be transferred, can the minister confirm to the house that, in fact, there will be a net reduction of 126 inpatient beds in the southern system?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:30): We will be increasing the number of beds that we have got in other locations throughout the system. As always, the number of beds that we have is determined by the amount of activity. That is how we set the number of beds. If we have more activity then we increase the number of beds to cater for that extra activity.

I would also point out that we are increasing the number of beds—well, the capacity at the new Royal Adelaide Hospital caters for a significant increase in the number of beds—and we are also increasing the number of beds at the Lyell McEwin Hospital. So, all of these things are interdependent and, as always, we set the number of beds depending on the amount of activity that we have.

HOSPITAL BEDS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:31): Supplementary, sir: given the fact that the Repatriation General Hospital has operated at 'code red' for more than 24 hours now, and that is including the 16 flex beds, how does the minister suggest that this southern system will be able to cope with the removal of 126 inpatient beds?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:31): Simply because we have to start doing things far better than we currently are, for example—

Members interjecting:

The Hon. J.J. SNELLING: They can scream all they want, Mr Speaker—scream and shout all they want. The simple fact is that in Transforming Health we are attempting to make the system work better. We already have more acute hospital beds per head of population than anywhere else—

Mr Marshall interjecting:

The Hon. J.J. SNELLING: —in Australia.

Mr Marshall interjecting:

The Hon. J.J. SNELLING: Indeed. The question could well be asked of the opposition: how many acute hospital beds do they think that we need? We already have more than anywhere else in Australia. If their answer is that we have to continue to increase the number of acute hospital beds, where will we stop? Will we just continue to increase the number of hospital beds?

The reason why we have overcapacity in our hospitals is not that we do not have enough acute hospital beds. We have more than enough acute hospital beds, but the problem is that we do not use those acute hospital beds very well. For example, we have longer lengths of stay in those acute hospital beds than anywhere else in the country. These are all the sorts of things. In some areas we do more procedures than anywhere else in the country. In some areas we take too long to discharge people from hospital. We also, in some cases, take longer to do tests. We particularly do not do rehabilitation very well, and these are all the sorts of things which we are trying to address through Transforming Health.

We are reconfiguring the system to enable our wonderful clinicians to be able to perform the best they possibly can. And isn't it interesting: the opposition doesn't really have anything interesting to say in this area at all.

Mr Marshall: What a load of rubbish!

The SPEAKER: I call to order the Minister for Health, whose final remarks were most unnecessary, and I call to order the members for Stuart, Davenport, Hartley, Adelaide, Morialta and Mount Gambier. I warn for the first time the leader, the deputy leader and the member for Hartley, and I warn for the second and final time the leader. The leader.

HOSPITAL TRANSFERS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:33): Thank you very much. I thought you had a stutter there, sir, but alas not today. My question is to the Minister for Health. Can the minister confirm that, contrary to the Repatriation General Hospital's normal practice of not accepting transfers after 7pm, last night two patients were transferred from the Flinders Medical Centre to the Repatriation General Hospital after 10pm.

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:34): I need to find out. I don't normally get a brief every time a patient is transferred in our health system. I have to say that I am more than happy to have a look. There's no doubt our hospitals have been incredibly busy in the last couple of months. I have to say that our doctors and nurses have been working exceptionally hard to make our hospital system work as well as it possibly can. I would like to place on the record my thanks for the enormous amount of work they have done.

Members interjecting:

The Hon. J.J. SNELLING: If a couple of patients have been transferred from the Flinders Medical Centre to the Repat at a particular time of day, I have no problem with that if the doctors and nurses think that that's the appropriate thing to do.

The SPEAKER: I call to order the members for Taylor and Schubert. Leader.

HEALTH REVIEW

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:35): My question is again to the Minister for Health. Has Deloitte or any other party been contracted to review the statistical analysis underpinning Transforming Health, including the claim that South Australia's hospital death rate is 500 higher than the national average?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:35): We're going through a procurement procedure at the moment, a procurement process, for an implementation partner for Transforming Health. I don't know exactly—I'm not familiar with the exact terms of reference and whether looking at the stats is part of that. It may well be, I'm not sure, I would need to get a report back to the house on that, but as it stands, certainly not that I'm aware.

HEALTH REVIEW

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:36): Supplementary, sir: why did Joe McDonald, the deputy chief operating officer of the Repatriation General Hospital, last week tell nursing staff that Deloitte is doing a review of the Transforming Health data?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:36): I will need to ask him.

HEALTH REVIEW

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:36): Can the minister confirm to the house that he's not aware of any work that Deloitte is currently doing regarding the data that was relied upon for the Transforming Health report which is the subject of these questions?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:36): I am more than happy to double-check, but if they are, so what?

TRANSFORMING CRIMINAL JUSTICE

Ms DIGANCE (Elder) (14:36): My question is to the Attorney-General. How has the government been engaging with the community and key partners around the Transforming Criminal Justice project?

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) (14:37): I thank the honourable member for her question. As Minister for Justice Reform I recently released a discussion paper on better sentencing outcomes. As part of the consultation process for this discussion paper the Attorney-General's Department and the Department for Correctional Services engaged Democracy Co. to run some consultation sessions.

Ms Chapman interjecting:

The Hon. J.R. RAU: It's true. This is a South Australian start-up company that runs custom consultation sessions with both members of the community and key partners in various industries. Two sessions were run, one with general members of the community and one with key partners from the justice and corrections sector. I had the benefit of speaking at both sessions, outlining my plans for reform of the sentencing options that our courts have in order to achieve the best outcomes for the community. The sessions were very beneficial to the—

An honourable member interjecting:

The Hon. J.R. RAU: That's very funny. The sessions were very beneficial to the justice reform project going forward and have helped shape future projects, including the home detention sentencing bill that I will introduce into parliament tomorrow. I would like to thank the community members and the key partners who participated in the consultation session. I would also like to thank Emma Lawson and Emily Jenke from Democracy Co. for running the sessions. It looks like they have a very successful business on their hands.

PALLIATIVE CARE

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:38): My question is to the Minister for Health. When will the government reveal its new model of palliative care, which according to Transforming Health's clinical ambassador, Dorothy Keefe, was used to work out the best location of the new hospice?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:38): I will need to find out what exactly the Leader of the Opposition is referring to. If he's talking about the work that was done by the working group and their report to me, I am certainly more than happy, if I'm able to, to share that with the opposition, if that's what he is in fact referring to, but if not perhaps he can speak to me afterwards and enlighten me as to what exactly the document is he is referring to. I can't see any particular reason why I can't share it.

Ms Chapman interjecting:

The SPEAKER: Before the leader goes on, I warn the deputy leader and the member for Hartley for the second and final time and I warn the member for Morialta. Leader.

PALLIATIVE CARE

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:39): There were multiple references in Professor Keefe's statements regarding the new location that there was a new model of palliative care, and we would be grateful if you could make it clear to the house what this new model of palliative care actually is.

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:39): I am more than happy to have a look and see if there is a particular document that Professor Keefe was referring to. However, I will point out that on the working group there was representation of consumers, nurses, doctors, people involved in The Repat Daw House service, and their view was unanimous that Flinders Medical Centre and the new facility that we are building there was the best of the options that they had available in front of them.

If you want to talk about changes in the practice of palliative care, I am more than happy. I could talk extensively about that. The simple fact is that the way we provide palliative care has significantly changed. Whereas, before, you would go into a hospice basically to die, the way we

provide palliative care now, you are more likely to spend some time in a hospice to get any symptoms that you have under control before returning home.

I think there are about 15 beds at Daw House, there will be 15 beds in the new facility at the Flinders Medical Centre, but that is just a very small fraction of the total number of patients who are being looked after by the Southern Adelaide Palliative Care Service. There are patients in aged care, patients at home and, indeed, patients elsewhere in hospitals who rely upon palliative care services. So, I am not sure if that is of assistance to the Leader of the Opposition but, if it is not, I am more than happy to see if there is some other documentation and I am more than happy to make it available to him.

HEALTH REVIEW

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:41): Has the minister received any contact from SA Health staff claiming that they have been gagged from commenting on Transforming 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) (14:41): No, I have not.

PARKINSON'S DISEASE NURSES

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:41): Again, my question is to the Minister for Health. When will the government fulfil its commitment to employ five full-time Parkinson's disease nurses, given that there is presently only one nurse operating?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:41): We have recruited a new Parkinson's nurse for the north. That person was the existing Parkinson's nurse in the south, and so we will need to backfill that. But these are—

Members interjecting:

The Hon. J.J. SNELLING: Well, it is not funny. These are specialist—

The SPEAKER: The member for Adelaide and the member for Stuart are warned.

An honourable member interjecting:

The Hon. J.J. SNELLING: Has been recruited? Someone has been recruited. That position in the south, I am informed, has been backfilled. Thank you. So, there are now two. I point out that these nurses are not just sitting around with nothing to do, they require specialist training. They require specialist qualifications, and we are going about making training available so that we can recruit nurses to fill those positions.

PARKINSON'S DISEASE NURSES

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:42): A supplementary, sir: when will the government fulfil its election promise to have these Parkinson's specialist nurses in place?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:42): As soon as we can. Bear in mind that these positions do require specialist training. You cannot just recruit and fill these positions overnight. It does take some time to recruit and to train these particular nurses. They have very specialist skills.

The SPEAKER: I call the member for Mitchell to order.

PARKINSON'S DISEASE NURSES

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:43): Is the minister suggesting that the budget is there and that as soon as the specialist nurses, the Parkinson's disease specialist nurses, become available that they will be immediately employed?

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 budget will be there when we are in a position to have nurses to employ.

MOUNT GAMBIER HOSPITAL

Mr WILLIAMS (MacKillop) (14:43): My question is to the Minister for Health. Will the government pay the additional costs for expectant mothers in the South-East who, as a result of this dispute between Country Health SA and the doctors in Naracoorte, will be forced to travel to Mount Gambier, Murray Bridge or elsewhere for their confinement?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:44): Many expectant mothers have to be birthed at the Mount Gambier Hospital at the moment because the current service, if my recollection is correct, is only three weeks in every four weeks that there is obstetric cover at Naracoorte, so there already is a situation where numbers of women have to be transported down to Mount Gambier. My understanding would be whatever arrangements we make for those women who had to travel previously we will make for any additional women.

From the top of my head, I think there are about eight women who we expect to birth imminent, at the moment, who Naracoorte would be expecting, so it's a relatively small number of women. My advice is Mount Gambier Hospital is in more than an adequate position to be able to deal with that extra birthing. My department was meeting with the Naracoorte doctors between 12 and 2. I haven't heard back from them, but I'm hopeful that will see a resolution of this particular issue.

PREMIUM FOOD AND WINE GRANTS PROGRAM

Ms COOK (Fisher) (14:45): My question is for the Minister for Agriculture, Food and Fisheries. Minister, how is the state government supporting food, wine and beverage businesses in South Australia, and can you highlight some local businesses which are experiencing growth in the industry?

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) (14:45): I thank the member for Fisher for the question. Of course, one of our government's key economic drivers is the premium food and wine from our clean environment exported to the world. It's terrific to see so many companies and so many primary producers doing so well in South Australia in an industry that is now worth $17.1 billion a year to the South Australian economy.

Last week I was with the member for Flinders and the member for Hammond. We were over at Minnipa for the celebrations of the centenary of the Minnipa Agricultural Centre and also the field day. It was terrific to meet up with some local farmers, including the former member for Stuart, Graham Gunn. When I asked him how his crops were going, 'Never better,' was his reply. So, we are hoping for some good finishing rains through spring to make sure that we have another season above that 10-year average. When we look at the carpet here, and we see the wheat and grapes in it, we are reminded that right since 1836, when European settlement happened in South Australia, we have been so highly dependent on our primary producers and the agriculture and food and wine sectors.

I'm pleased to announce today that round 2 of the Building South Australia's Premium Food and Wine Credentials Grant Program is now open. People may remember that in round 1 we put this out to fishery and aquaculture industries to make sure that operators and businesses could go and get the sort of international tick of approval that is offered up by organisations such as the Marine Stewardship Council and also the Aquaculture Stewardship Council as well. These are the endorsements that are recognised around the world.

While we know that we have fantastic produce here, some of the cleanest produce from any soils or oceans anywhere in the world, and we know that we're the only mainland state in Australia that's fruit fly free, that's phylloxera free, where it is illegal to grow genetically modified crops, we are out there in a competitive environment on the world stage. When we talk about being clean and green, there's a lot of other people, maybe not with credentials that we have, espousing the same

sort of virtues. So, we need to make sure that we get as many companies as we can to get the certification that will help them in those international markets.

Recently I visited some great food manufacturing companies, including B.-d. Farm Paris Creek, where Ulli and Helmut Spranz established B.-d. Farm Paris Creek in 1988. They have fantastic yoghurts, milk, quark, cheese and butter. The facilities were extended in 2007. I was glad to see the plans that they have for a further extension of their business. Their produce is available in every major supermarket chain in Australia. Their produce is also exported to Singapore, Dubai, Hong Kong, Brunei and Fiji. They employ about 48 full-time equivalent staff and they are looking to put on more staff as well in the next 12 months, so that's terrific.

That same day, I went down to the Laucke Flour Mills, and caught up with Mark Laucke, who is the managing director of Laucke Flour Mills in Strathalbyn. Again, it is a great South Australian company with a really strong interest. I caught up with Mark over in China, and he's doing a terrific job over there. He's a huge supporter of South Australia's GM free position and is passionate about food safety and nutrition.

I also went to Vale Brewing, makers of Vale/Ale and many other great beers as well as cider, and they are growing as well. They have some fantastic expansion plans, including a high-speed bottling line and a canning facility to really increase the amount of beer and cider that is produced here as well.

CHINA-AUSTRALIA FREE TRADE AGREEMENT

Mr WHETSTONE (Chaffey) (14:49): My question is to the Premier. Have you been approached by any officials from the CFMEU, or any other union, to discuss your support for the China free trade agreement?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:49): No, I do not think I have, although I did have a rather pleasant 20th celebration of the establishment of Lieschke & Weatherill Lawyers on Friday night, and I think I am prepared to accept that in the crowd there may have been—wait for it—officials from the trade union movement. I cannot warrant whether some of them may have been officials of the CFMEU. We do associate from time to time in this Labor Party with people who are known to represent the interests of working people. As shocking as that might seem to those opposite, that does actually happen from time to time, but no, I do not think the question of the free trade agreement was raised. I think some thanks were expressed for the drinks and hospitality—not that I paid for it. I was very happy to be there enjoying it. It was a lovely evening, but no, I think, is the answer to your question.

Members interjecting:

The SPEAKER: Before the member for Chaffey asks a supplementary question, I call to order the members for Newland and Unley, and the Treasurer.

CHINA-AUSTRALIA FREE TRADE AGREEMENT

Mr WHETSTONE (Chaffey) (14:51): I have a supplementary question for the Premier. Have you raised the China free trade agreement, and the need to support it, with the federal Leader of the Opposition, Bill Shorten, or any of your federal MP counterparts?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:51): If they had been following the press or, indeed, the answers to my questions in parliament, I think they would have got the message pretty loud and clear. I think I was the first Labor leader around the nation to call for the speedy support of the China free trade agreement, but at the same time I also believe it is proper for concerns about Australians getting the bulk of the jobs which may flow from any investments in this country to be also addressed.

I cannot remember where it was said, but I heard a sensible contribution recently which said, 'Why can't we have just a debate which is not about on the one hand whether we actually sign this agreement or on the other hand whether we block this agreement, have a sensible discussion on what it actually does mean for us to entertain investment in this country but also make sure that jobs stay with Australians?'

Nobody seriously thinks that we are entering into this free trade agreement to create jobs in another country or for foreign workers to come and work here and then go back to their country of origin. That cannot be the objective of the free trade agreement. To the extent that there are concerns about that, they should be addressed, not in the hysterical way that we have seen but in a sensible way, through a process of debate.

We have our own independent position here that we arrive at by applying our own intelligent judgement to the matter. We are not dictated to by outside forces, or even by our federal colleagues where our interests come into conflict with our federal colleagues. It is an approach that I would urge on those opposite. It is an approach which I would urge on those opposite: think for yourself and make your own judgement.

Mr Marshall interjecting:

The SPEAKER: The deputy leader is living on the edge.

CHINA-AUSTRALIA FREE TRADE AGREEMENT

Mr WHETSTONE (Chaffey) (14:53): Will the MOU being signed this evening by the Shandong province be affected if the Labor Party blocks the China free trade agreement in federal parliament?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:53): No, I do not believe it will. The memorandum of agreement that we are about to sign with the Shandong province commits both my government and the Shandong government to cooperation in a series of areas that will lead to greater flows of investment and greater discourse between our two jurisdictions in terms of trade. This is a magnificent thing for South Australia. We have really hit the jackpot by building a relationship with one of the states in China which 29 or 30 years ago we could not have anticipated would now have grown to be the third largest economy in China—a trillion US dollar per annum economy.

They enjoy excellent relations with the state of South Australia and I hope they continue to enjoy this excellent relationship with us. I have ensured that the Leader of the Opposition and, in fact, the shadow minister for trade have been invited to this evening's function and I hope that they can also communicate our bipartisan support for this very important relationship with China.

MINING EMPLOYMENT

Mr VAN HOLST PELLEKAAN (Stuart) (14:55): My question is to the Premier. Why did the Premier claim on ABC radio on 11 August that his promise to create an additional 5,000 jobs in the mining sector would not be fulfilled because '…mining jobs was based on assumptions about commodity prices which obviously have had pretty catastrophic falls', when mining industry commodity prices had actually fallen consistently for the 24 months prior to making the promise?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:55): The point that I was seeking to make was that, at the end of this year, we'll be reviewing the Strategic Plan targets that we've set—the 10 economic priorities. We made a series of near-term targets, that is, where we expected or hoped to be by the end of this year and where we plan to be in three years' time just before the next state election. We did that, some would say, 'courageously', in the *Yes Minister* sense of the word, to hold ourselves accountable for the performance of this state.

These are not government targets: they are targets for the whole of the state. There are things here that we cannot directly influence as a state government. We don't export; we don't create jobs directly in the mining sector. What we do is try to facilitate the creation of jobs in that sector and what we will be doing, before the end of the year, is giving everybody in this house and the people of South Australia an account of how we're travelling on those 12-month targets and how we're travelling on the three-year targets. It may well be that we're going to have to adjust some of our three-year targets—

Members interjecting:

The Hon. J.W. WEATHERILL: As hilarious as that might sound, when the assumptions underpinning a target change, then it is sensible to review the target. Some will be reviewed downwards, such as the mining jobs target. Some will be reviewed upwards.

We have documented it carefully. The former treasurer, the Hon. Rob Lucas, gleefully, on television a few Friday nights ago, was talking about the unemployment rate and saying that we were destined to be at double digits. We have that material and we'll make sure we reflect back on that. This is the gleeful prediction that we will be reaching double digit unemployment.

Mr Bell: Can you rule it out?

The Hon. J.W. WEATHERILL: No, we can't. It's going to be a massive challenge to avoid it. It's going to be a massive challenge to do better than where we are at the moment, but that is the goal that we've set ourselves and what we will do is review each of those targets, because they're powerful targets—

Mr Marshall: Start with the 100,000 jobs!

The SPEAKER: The leader is on the edge.

The Hon. J.W. WEATHERILL: —as a goad to action for the South Australian community as we seek to transform and adjust this economy from an old economy to a new economy where the jobs are growing.

One of the elements underpinning the target around 5,000 jobs is, of course, commodity prices. There are others but, fundamentally, commodity prices are a critical element of investment. One only needs to look at the oil price, the copper price, the iron ore price—all of those are putting downward pressure on investment and, therefore, jobs in the mining sector. It's natural that we should reflect upon those matters when we're considering our targets for the future.

But for once, could we have those opposite lending their arm to this important state effort to adjust the South Australian economy, rather than sitting back in their armchairs, just rocking back and repeating—

Mr GARDNER: Point of order, sir.

The SPEAKER: Point of order.

Mr GARDNER: The Premier is now indulging in debate.

The SPEAKER: I uphold the point of order.

Mr VAN HOLST PELLEKAAN: A supplementary question, sir?

The SPEAKER: Before the supplementary question, I warn the member for Mount Gambier and I warn the member for Hammond for an earlier infraction. Member for Stuart.

MINING EMPLOYMENT

Mr VAN HOLST PELLEKAAN (Stuart) (14:59): Will the Premier confirm that he will release publicly that account of real performance versus targets before the end of this calendar year?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:59): Yes.

The SPEAKER: Supplementary, member for Stuart.

MINING EMPLOYMENT

Mr VAN HOLST PELLEKAAN (Stuart) (14:59): Can the Premier rule out that, when he provides that account, that will not include any double-digit unemployment for the state of South Australia?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (15:00): No, the things that we will respond to are the published near-term targets, the 12-month targets, that we set towards the end of last year, and we will show you how we are going against those targets. Obviously, we will also give consideration to revising any of the three-year targets in the light of that experience. So, those are the things that we will be addressing in that update.

ELECTRIC TRAINS

Mr WINGARD (Mitchell) (15:00): My question is to the Minister for Transport and Infrastructure. Minister, how many of the new electric trains are towed by diesel trains to Dry Creek each week?

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) (15:00): It would depend on the number of electric trains being serviced at that location.

ELECTRIC TRAINS

Mr WINGARD (Mitchell) (15:00): Supplementary: how much does the government spend towing electric trains by diesel train to Dry Creek across the course of a week or a month or a year?

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) (15:01): I don't have that figure available to me.

The Hon. T.R. Kenyon interjecting:

The SPEAKER: I warn the member for Newland, who has been doing it all day. Member for Mitchell.

ELECTRIC TRAINS

Mr WINGARD (Mitchell) (15:01): Supplementary: can you get that figure and bring it to the house, 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) (15:01): I will investigate whether that figure is indeed obtainable.

ELECTRIC TRAINS

Mr WINGARD (Mitchell) (15:01): Supplementary: is there a concern that you don't cost how much it is to tow the electric trains to Dry Creek?

The SPEAKER: The member for Mitchell will readdress his question through the Chair.

Mr WINGARD: Sorry, I was asking the minister.

The SPEAKER: Well, you ask him through me. You don't use the second person—

Mr WINGARD: Thank you, Mr Speaker. My question is to the minister.

The SPEAKER: —referring to the minister.

Mr WINGARD: I would like to know whether or not he keeps the figures of how much he has spent towing electric trains by diesel trains to Dry Creek.

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) (15:02): That wasn't the question that was asked previously; nonetheless, I will answer it. No, I don't keep those figures.

ELECTRIC TRAINS

Mr WINGARD (Mitchell) (15:02): Supplementary: I want to know if the minister can get those—

The SPEAKER: The member for Mitchell should just start a new line of questioning.

Mr WINGARD: A new line of questioning? I didn't get any joy with the old line, so I will try a new line. Thank you, sir. Given that there are five excess electric trains that are in circulation, or will be when the 22nd one comes online, where will the excess trains be housed?

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) (15:02): Notwithstanding the debate that was contained within that question, I will address that question in the same way that it was addressed—

Mr Marshall interjecting:

The Hon. S.C. MULLIGHAN: Yes, keep bellowing—the noise of a desperate man. Keep bellowing, Steven, keep bellowing—proving that annoying idiom, that empty vessels do make the loudest noise.

The SPEAKER: Point of order, member for Morialta.

Mr GARDNER: The kindest way I can describe that is as debate, sir.

The SPEAKER: Well, it was a debate that was brought on by the indiscipline of the leader in interjecting in a personally insulting way. Minister.

The Hon. S.C. MULLIGHAN: Thank you, Mr Speaker. This is a matter that has been canvassed both during estimates and also when the chief executive of the Department of Planning, Transport and Infrastructure appeared before the upper house Budget and Finance Committee.

There is an assertion by the member for Mitchell that there will be five excess trains which will not be used on the network which are, in effect, as he has been describing them, 'wasted trains'; that's not the case. I have made it clear and the chief executive has made it clear that we will be using those trains at every opportunity.

ELECTRIC TRAINS

Mr WINGARD (Mitchell) (15:03): Given these trains will be underutilised if they are all going to still get a run, where will they be housed and is there adequate security for these trains when they are not being utilised?

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) (15:04): These trains, like the rest of the electric multiple-unit fleet, will be housed at locations which are secure, of course.

ELECTRIC TRAINS

Mr WINGARD (Mitchell) (15:04): Supplementary: can the minister explain where they will be housed? That was the question.

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) (15:04): There are a number of stabling locations including Seaford, Dry Creek and the yards outside the Adelaide Railway Station.

ELECTRIC TRAINS

Mr WINGARD (Mitchell) (15:04): Supplementary: can the minister outline to the house how many will be housed at each location given that a certain number of trains have to be towed to Dry Creek?

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) (15:04): No, I will not be providing that information to the house.

ELECTRIC TRAINS

Mr WINGARD (Mitchell) (15:05): My question is to the Minister for Transport. As there are five excess electric trains that cannot be used on the unelectrified Gawler line, how much longer will commuters on the northern line have to continue to use the 30-year old 2000 series Jumbo trains?

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) (15:05): I am confused because the member for Mitchell said in his first series of questions that these were excess trains and then, when he was embarrassed by my response, he claimed that they were underutilised and now he is back to saying there are excess trains. It is the same thing. Despite telling the house that it is not the same thing, he is now embarrassed into saying that it is the same thing. It is just tedious and embarrassing for the member for Mitchell.

The SPEAKER: Before I take the member for Stuart's point of order, the Oxford English Dictionary says that indiscipline is a noun meaning a lack of discipline, such as we saw from the Port Adelaide Football Club on Sunday in their qualifying final. The member for Stuart.

Mr VAN HOLST PELLEKAAN: The minister is debating the substance of the question.

The SPEAKER: Yes, I think he is. Member for Adelaide.

Mr WINGARD: Sorry, sir, I didn't get an answer to that question. I would have had a supplementary if I had known he wasn't going to answer the question.

The SPEAKER: I have called the member for Adelaide.

HOUSING SA

Ms SANDERSON (Adelaide) (15:06): My question is to the Minister for Housing and Urban Development. Other than the 1,100 Housing SA properties recently transferred to community housing providers, how many other Housing SA properties have been transferred since July 2014?

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) (15:07): I would have to find out about that. I know, of course, that there were 1,100 as has been mentioned. Whether there were others that were transferred in that window—I assume you mean from 14 July to the present time—

Ms Sanderson: Yes.

The Hon. J.R. RAU: —or for the last financial year. Present time. I will have to take on notice.

PLANNING POLICY

Ms SANDERSON (Adelaide) (15:07): My question is to the Minister for Planning. Did the minister anticipate that the Transit Living Policy development through the Urban Corridor Zone would include the approval of high density and high-rise housing of four storeys in small side streets of residential zones? For residents of Richmond Avenue, Prospect this has meant the recent approval for demolition of a character home built in 1937 in their street on 535 square metres being replaced with a four-storey, 10-apartment development in a narrow residential street that is not on the main road.

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) (15:08): There are a number of important matters that emerge from the question being asked. I will deal with them one by one because if you get them all tangled up it does get a bit more complicated than it should be. First of all, character.

Members interjecting:

The SPEAKER: The members for Colton and Unley are warned. Sorry, it is called to order in the case of the member for Colton.

The Hon. J.R. RAU: The first thing is character and heritage. If we are dealing with a property which has local heritage value and is on the register there is a process through which that property must go if there is an intention to demolish or substantially interfere with that property. That process is quite independent of the development assessment process in terms of building a new property. It is a point in time before that and so I can only say that that would have been assessed according to the rules of Prospect council. That property was either a character property that was listed or it wasn't, and I don't know any of the particulars about that.

The second point I would make is that the DPA in relation to Prospect was one which, if I remember correctly, was a ministerial DPA at the explicit request of the Prospect council. If I remember correctly, they had the view that they did not have sufficient resources—

Ms Sanderson interjecting:

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

The Hon. J.R. RAU: They had the view they did not have sufficient resources to do all of the work themselves and asked us to assist them, but we did what they asked us to do. The idea of there being densification in certain areas within the Prospect council area is entirely something that has been arrived at as a result of the processes undertaken by that council with its ratepayers. We have simply executed that proposition for them by issuing a DPA.

The third point I would raise is this. I am not sure exactly by what definition anybody could call four storeys high rise. Nowhere, in South Australia even, would you call four storeys high rise. In some parts of the world they wouldn't even call it low rise. The fact of the matter is there is an enormous amount of economic activity going on in Prospect and, if the member for Adelaide wanted to take a drive down Churchill Road, for example, the member for Adelaide might notice that there are literally tens of millions of dollars worth of investment going on right now in that part of the city directly as a result of rezones that have occurred in the last 12 to 18 months.

We have buildings there—I know it is shocking to some—some of which are above two storeys, some are three storeys and there might be one or two that are four storeys. Can I say some of these buildings—I invite anybody who wants to to drive down Churchill Road—are very attractive buildings. Mr Speaker, you might be surprised to hear this but there are fantastic two-bedroom apartments very close to the city—walking or cycling distance (comfortable cycling distance from Barton Road)—on Churchill Road and they were selling—

An honourable member interjecting:

The Hon. J.R. RAU: I know but he might have friends in Griffith.

The SPEAKER: It is a pity that the member's time has expired because there was a great deal of clarification there. The member for Adelaide.

PLANNING POLICY

Ms SANDERSON (Adelaide) (15:12): A supplementary, so you can keep going, of course. Does the minister agree that 10 apartments on 535 square metres is high density?

Mr Williams interjecting:

The SPEAKER: The member for MacKillop is called to order.

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) (15:12): Compared to some remote regional areas I suppose that would appear to be dense but compared to most of Adelaide it is not very dense. Compared to Kowloon it is extremely not dense: it is an open park. It is all relative, isn't it?

I do appreciate the opportunity to get back to Churchill Road, Mr Speaker, because when I was last talking to you we were taking that sentimental journey down Churchill Road. These apartments are very nice. If you are driving past, they have a green bit on the side of them. They are very attractive buildings. These two-bedroom apartments were actually put out at about $300,000 for a brand-new, well-appointed, two-bedroom apartment, and they went off like hot cakes. They went out the door straightaway. This is happening all over that area. People want to live closer to the city.

People are looking for a choice in housing types. Not everybody wants to live in a three-bedroom brick veneer Tuscan-Georgian something 75 kilometres from the CBD. Some people—many people—do not live in four person households. Many people live in single or dual person households. They do not want four and five bedrooms, or three bedrooms, on 700 square metres, either. This is a fantastic opportunity for people to come and live in the city of Adelaide, where they

can have the privilege of being represented by the member for Adelaide and, understandably, they are flocking there. It is an attractive part of the city, Mr Speaker.

The SPEAKER: Or on Churchill Road, represented by your good self.

The Hon. J.R. RAU: No, not that bit of Churchill Road, but the other bits, yes. I think we need to just calm down a bit about what is high and low density and use terminology properly. There is nothing going on in the City of Prospect which by any remote definition fits into the category of high rise or high density.

LEGAL PROFESSION CONDUCT COMMISSIONER

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:14): My question is to the Attorney-General. Is the Attorney aware of the Supreme Court judgement of Justice Parker in Viscariello versus Macks dated 27 August 2015 in which the judge found that the Legal Profession Conduct Commissioner had not obtained the Attorney-General's authority to conduct a delegation which was in breach of section 17(1) of the Public Sector Honesty and Accountability Act 1995, and, if so, has the matter been referred to the DPP?

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) (15:15): Yes, I am aware of that matter, and the matter is presently under consideration. I think it would not be appropriate for me to take it any further other than to say that the individual concerned is a person not unfamiliar to the legal system. He shares that distinction with a number of other people and perhaps it would be unhelpful for me to go any further.

Yes, the matter has been drawn to my attention. It was drawn to my attention in the latter part of last week and I am seeking advice as to how the matter can be appropriately dealt with. I am satisfied about one thing, that if there was any failure to comply with the relevant provisions that would have been on the basis of some inadvertence or accidental basis. I am satisfied in my own mind there was no deliberate attempt to cause trouble. However, be that as it may, I think, should I say, that the answer to the question is: yes, I am aware of it; yes, I have asked for advice about it and, when I get the advice, I will deal with it as I am advised.

LEGAL PROFESSION CONDUCT COMMISSIONER

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:17): Supplementary: why is it necessary for you, Attorney, to get advice on whether the matter is referred to the DPP if the judgement is quite clear that there has been a breach, you claim inadvertent—the Attorney-General—

The SPEAKER: The deputy leader will address her questions through the Chair.

Ms CHAPMAN: —yes—claims to be inadvertent in some manner but in which the judgement confirms the breach. Why does he need to obtain advice in relation to whether he refers it to the DPP or, indeed, takes any disciplinary action which is also canvassed in the judgement?

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) (15:17): Look, I am not for a minute suggesting that the Deputy Leader of the Opposition's question is not an appropriate question, I accept it is. All I am saying is that, having been advised of this matter as recently as I said last week, I have sought advice as to how I should best deal with the matter, and I would expect in that advice I would be provided with some information about whether any form of disciplinary proceeding was appropriate and, if so, by whom it should be instituted and to what extent I had any role in that matter.

I would also want to have some information about whether there was some requirement for me—or objective, priority—in drawing the matter to the attention of the Director of Public Prosecutions and, if so, how that should appropriately be done. That is what I am talking about. I am not suggesting for a moment that this matter is something which should simply be ignored. I am just trying to ascertain the appropriate way, and there may be more than one appropriate thing that I as Attorney-General should do consequent upon that decision.

I am also aware that, at this point in time anyway, that decision in itself may or may not be subject to review by others; and, again, I do not know where that is likely to be going either. I am seeking advice. It has been brought to my attention, and I do regard it as a matter that should be dealt with but I want advice on exactly how I should proceed with it.

LEGAL PROFESSION CONDUCT COMMISSIONER

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:19): Supplementary: in the meantime and pending obtaining the advice, has the Attorney had any conversation or any communication with Mr May, the commissioner, to ascertain to the Attorney's satisfaction that he will continue to comply with that provision pending further determination of what he decides to do?

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) (15:19): I wasn't going to say this because I didn't think it was necessary, but I think given the number of questions I should make it clear that the person who brought this to my attention was in fact Mr May. He sought me out to tell me that this had happened and he wanted me to be aware of it so that I could take whatever steps I could take. I regard that as being exemplary conduct on Mr May's part because this may or may not have come to my attention in the ordinary course for a week or two. He made a point of seeking out an opportunity to meet with me personally, at fairly short notice, to personally advise me of this matter.

LEGAL PROFESSION CONDUCT COMMISSIONER

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:20): Supplementary: given that Mr May has brought this to your attention, did he give any commitment to you that he would ensure that he would comply with the provisions of section 17 pending your decision about whether he should be disciplined or referred to the DPP?

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) (15:20): On the basis of my conversation with him, I am satisfied that he is now very much aware of this issue and will be compliant.

RENMARK POLICE STATION

Mr WHETSTONE (Chaffey) (15:21): My question is to the Minister for Police. Given the opening hours of the Renmark Police Station have been reduced to when an officer is available, can the minister explain why this is the case and what are the plans for the future of that station, looking after a town of 10,000 people?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:21): I will need to get some specific advice from the commissioner on that matter. Suffice to say, in a general sense, that if for some reason there is restricted staffing in any police station, the local service area usually covers that. There was a case recently, I think, in the member for Hammond's electorate which involved, if you like, reallocating staff from other locations. What I can reassure people is that if you need a police officer there will be one available.

RENMARK POLICE STATION

Mr WHETSTONE (Chaffey) (15:21): Supplementary: minister, can you categorically rule out any further reduced hours or that the police station will not close within the next two years?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:22): At last count, I don't think I'm actually the Commissioner of Police. That is, by law, a responsibility of the commissioner and if that advice was forthcoming then obviously I would discuss that matter with him. Having said that, I do not give directions to the commissioner on how to deploy his resources.

Mr Pengilly interjecting:

The SPEAKER: The member for Finniss is called to order. Member for Goyder.

MARINE PARK SANCTUARY ZONES

Mr GRIFFITHS (Goyder) (15:22): My question is to the Minister for Regional Development. With the introduction on 1 October 2014 of marine park sanctuary zones and from the confirmation by the minister of his regular discussions with the Minister for Environment about marine parks, can the minister confirm the number of warnings given and expiation notices issued to recreational and professional fishers across the 19 marine parks in the last 11 months?

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) (15:23): As the Minister for Fisheries, I will get an answer and bring that back to the member for Goyder.

The SPEAKER: The member for Finniss is warned for moaning. Supplementary, member for Goyder? Another question?

MARINE PARK SANCTUARY ZONES

Mr GRIFFITHS (Goyder) (15:23): I have another question, sir, not a supplementary though. Again, to the Minister for Regional Development. Can the minister confirm the guidelines for data collection to support the research on the impact study required to be undertaken as part of the sanctuary zone introduction of marine parks?

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) (15:23): I thank the member for that question. I will take that one on notice as well and bring back a reply.

MARINE PARK SANCTUARY ZONES

Mr GRIFFITHS (Goyder) (15:24): Supplementary: the Minister for Regional Development required the economic impact study to be undertaken as part of the support for legislation, thus the reason, I would presume, for him to actually be aware of the guidelines for it.

The Hon. G.G. BROCK (Frome—Minister for Regional Development, Minister for Local Government) (15:24): When that decision was made I voted as the Independent member for Frome and therefore it is being handled by another minister. The minister responsible is the minister who just answered the questions.

The SPEAKER: The member for Hammond is warned for the second and final time and, if I hear a peep out of the member for Bragg, she will be leaving us.

YOUTH BOOT CAMP

Mr GARDNER (Morialta) (15:24): My question is to the Minister for Youth. What involvement has the minister, or indeed the youth justice subprogram within her department, had in developing the new youth justice boot camps being progressed by the Attorney-General?

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) (15:25): Thank you very much for that question. The situation is that, of course, the Minister for Youth and I have been collaborating together—

Mr Pisoni interjecting:

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

The Hon. J.R. RAU: We have been collaborating together in this matter, which incidentally arose from a promise made by the government before the last election in 2014. We indicated that if we did secure a return to office we would be initiating a program of this type. I can help members by saying that at the moment we are in an appraisal stage of the project where we are ascertaining what sort of service providers are out there and what sorts of programs they have. We do not at the

moment have something which is at a stage where there is any matter that I feel the Minister for Youth and I need to sit down and nut the fine detail out of.

That will happen and, in due course, when we are satisfied we have something which is entirely appropriate, I imagine it is the sort of thing that we will discuss with our cabinet colleagues and come to a landing on. But in the meantime, work continues and we are looking at matters of detail. As I said, it is my recollection that we have not got to the point where we have a concluded, settled proposition.

YOUTH BOOT CAMP

Mr GARDNER (Morialta) (15:27): A supplementary, sir: given that the Minister for Youth and indeed her youth justice subprogram within her department are in fact responsible for policy and delivery of services in the youth justice sector and the direction in youth justice, in the development of this policy before the election, or indeed in the development of the scoping work that has been done since the election—

The SPEAKER: Could the member for Morialta come to a—

Mr GARDNER: —has the minister ever been involved in any way?

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) (15:28): I expect that in the process of this being formulated, what happened before the election I can say with confidence did not involve the current minister because before the election she was not the then minister, as I recall. It was formulated before that point in time and, as I said, it was an election promise. Since that time, the lead work has been done by the Attorney-General's Department. It is my expectation that they would have spoken to people like corrections, youth justice and various other people. Exactly to what extent they have spoken to them and to whom they have spoken, I do not know, and I can seek to ascertain that.

YOUTH BOOT CAMP

Mr GARDNER (Morialta) (15:28): A final supplementary, sir: when will the minister get back to the house with details about what this program will actually be?

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) (15:28): Well, that is really the sixty-four dollar question. After we have gone through the process, after we have got evaluation, we will advise you. My expectation is it is not too far away, but I have been caught before making very positive predictions about how long things take to go through the system and sometimes I am proven to be not correct. So, I am a little bit careful about that now, but what I can say is that it is very good that members opposite are interested in this initiative and I will be happy to share it with them when I have something more decent to share with them.

Grievance Debate

COUNTRY SHOWS

Mr WHETSTONE (Chaffey) (15:29): I rise today to put on the record my concerns regarding state government funding through the department of PIRSA and the cut to the Agricultural Societies Council's funding for regional shows; that is, country shows right across South Australia are having that vital, small contribution from the state government cut. At the moment, there is about a $100,000 pool of money, some of which goes to the rural ambassadors program in South Australia. The rural ambassadors program is a fantastic initiative. Not only does it reward and help rural ambassadors, but it also puts a program in place for young rural ambassadors in South Australia. It is a great initiative and something for which I applaud the department and the state government.

The Agricultural Societies Council has had their $40,000 funding used for prize money at regional South Australian shows taken away from them. That $40,000 might not seem like a lot of money, but regional shows are critically important, particularly to the fabric of regional South

Australia. Any member on this side of the chamber and potentially one other on the government side of the chamber would understand how important rural shows are to those small communities. Country shows obviously play a vital role in keeping communities together.

It is about competitions, small types of platforms of competition, whether it is through livestock (live animals), the exercise of wood chopping, or whether it is through the flower competitions and shows, or whether it is through jam making—and of course we cannot forget the jam. Deputy Speaker, my jam was in the Royal Adelaide Show this year. Sadly, I have had to rely on last year's ribbons to keep my cupboard full, but I will be putting my jam into my regional shows at Pinnaroo and Loxton. It is all about community and having some form of competition, and it is friendly rivalry, I must say. Yes, my famous fig and ginger jam did not get a ribbon and neither did my even more famous dried apricot jam.

More importantly, I am advised that PIRSA will no longer provide funding for the rural agricultural show prizes. Some of that prize money is small, and in some cases in single figures. I notice that last year's prize-money for the jam competition was $3, but it was vital prize money. It was about keeping all those competitors in the game. Without that prize money, it leaves a critical gap in what regional shows are about, and that is about competing and being part of the show, and it is a stepping stone and putting your product into the regional shows and then having an opportunity to bring it to the big smoke in Adelaide and putting it on the shelves and running it against everyone else in South Australia.

The Loxton Show Society and the Pinnaroo Agricultural Society have been around for nearly 100 years, and they really are the fabric of those communities. They bring the community together, they bring communities at large together. Many businesses, not only local but far and wide in South Australia, come to show off their products and services. They showcase what they do best and the services they provide to that local community. It is about camaraderie, and it is a really important part of those small communities.

Each of those shows attract tens of thousands of people every year. So, we are talking about a measly $1,200 for Loxton and $1,200 for Pinnaroo as prize-money. The backbone of those shows are the volunteers and local community members who make the shows happen, bring everyone together and give them the opportunity to showcase what they do best. They also they have a sense of pride when they bring their wares, their jams, their wheat clusters, their oats and grains, and their animals to these shows, and it really is important.

Sadly, this state government through PIRSA has been very mean in taking away that $40,000 from the entire regional South Australian show society. I urge the government, I urge the minister, to revisit that $40,000 and put back it back on the table to support country shows.

Time expired.

THEATRE COMPANIES

Mr PICTON (Kaurna) (15:34): Today I rise to commend the work of a local drama group in the southern suburbs, the Southern Youth Theatre Ensemble, otherwise known as The Little Fish. This theatre company has been operating in the south for over 25 years, giving young people interested in drama the opportunity to develop their creativity, acting skills and theatre production abilities. There are dozens of young people involved in the company from my electorate and other electorates in the southern suburbs.

The ensemble provides two roles. Firstly, it conducts drama workshops with young people to develop their practical skills in performance, theatre and production. Secondly, they produce through The Little Fish complete theatre productions, for which they have now delivered six productions. Each of their productions is based on one of the classic plays from William Shakespeare as part of the Raw Shakespeare Project, giving the young actors the ultimate challenge of the theatre to take on. Previously, they have performed *Love's Labours Lost*, *A Midsummer Night's Dream*, *Romeo and Juliet*, and *The Taming of the Shrew*.

The aim of the project is to present Shakespeare in the raw, so in the classic sense and not with modern interpretations or elaborate sets as you may see nowadays, so as to keep in line with how the plays were first presented 400 years ago as part of a touring acting troupe. Their latest

production, just recently, has been the classic play, *Antony and Cleopatra*. The production was held over recent weeks and was performed both in Marion and in McLaren Vale, with the final special performance in the historic barrel hall at the beautiful and stunning Kay Brothers Winery in McLaren Vale. I recommend to everybody a visit to their cellar door.

I was lucky enough to be invited to their final performance, along with the Mayor of the City of Onkaparinga, who was also there, and I can report that it was absolutely brilliant and we were all blown away with how professional it was. I was also invited some months earlier to see one of the first rehearsals in the lead-up to the performance, and I was even asked to stand in for one of the actors could not be there and read their parts in their absence. I can happily report that the young actor who did the part that I performed in the real performance did a much better job than I did.

The stars of the show were Amelia Dembowski and Russell Slater, taking the feature roles of Cleopatra and Antony respectively, and both did fantastic jobs in these difficult roles. Russell, of course, is the director of the whole troupe. He is not young, but obviously a bit older, and he performs an amazing job volunteering to put these productions together.

As Shakespeare lovers would know, the play also includes other major parts, such as the part of Caesar, which was expertly played by Christopher Searle. I congratulate all the other actors from the show: Roan Redelinghuys, Isabella Shaw, Leah Anderson, Bianca Payne, Harmony Kapsley, Ian Seymour-White, James Millward, Simon Lancione, Alice Redelinghuys, Lucy Pace, Michelle Vreughenhil, Nicole Richardson and Linda Edwards. Also deserving credit are those involved in the production of the event behind the scenes: Mahalia Clark, Phoebe Shaw, Lynley Slater, Bianca Payne and Nathan Vandenberg. All did fantastic jobs behind the scenes.

I have been supporting this ensemble in their drive to try to secure some grant funding to help their work and their performances, to expand the workshops and get more young people involved. It is fair to say that they are currently running on the smell of an oily rag financially. Unfortunately, it has been quite difficult so far, as Arts SA and Carclew youth grants for theatre are often quite specific and difficult to apply for when performing Shakespeare plays. I think this is unfortunate, as clearly Shakespeare is one of the most significant challenges a young actor can take on and a great way of achieving and harnessing their excellent performing skills. I therefore will continue to advocate on behalf of The Little Fish to be eligible for some small program grant funding to support their terrific work with the young actors in the southern suburbs in the future.

I am happy to inform members that The Little Fish's next production will be *As You Like It*, and I encourage South Australians to see their next play and to support fantastic youth drama from the southern suburbs.

GOVERNMENT PERFORMANCE

Mr KNOLL (Schubert) (15:39): I am a 21st century member of parliament. I am familiar with the great wonder that is the internet. I am familiar with its ability to disrupt government ministers' Dorothy Dixers. I am familiar with it—

The DEPUTY SPEAKER: I beg your pardon? Government questions. There is no such thing as a Dorothy Dixer.

Mr KNOLL: Okay.

The DEPUTY SPEAKER: That stopped you, didn't it?

Mr KNOLL: I am familiar with it as a tool that holds an unfathomable amount of knowledge that will help to propel the human race forward with ever-increasing speed. I am also now familiar with it as a permanent record of the details of youthful pranks that my generation engages in. We as a society could say that we could not have seen this coming, that this is somehow something that has come up in the future and we are now in an age where we have to deal with these issues, and I do think that, but I also believe that we have had fair warning.

Over the winter break, I dusted off an old thing called a book and read George Orwell's *Nineteen Eighty-Four*. Written in 1949, he envisaged a future where technology would be omnipresent in our lives and predicted the loss of liberty that would result. He also wrote, though, of a concept called 'doublethink', defined as the ability to hold contradictory views simultaneously and

believe them both to be true. And even though the book is fictional, I see a lot of truth in the conduct of the government today.

At the last election the Premier used the slogan, 'Let's keep building South Australia'. This policy manifesto, always seemingly clutched close to the bosom of the Premier, much like a safety blanket, confirms it. Yet since the election, they have abandoned the new courts precinct, delayed for the third time the Gawler line electrification and have actually now reduced the average infrastructure spend from $1.9 billion over the past five years to $1.3 billion over the forward estimates.

The ability to hold both of these truths simultaneously takes some serious intellectual gymnastics. This government said that they have worked to protect jobs, whilst at the same time presiding over an unemployment rate that is the highest in the nation. The government goes around talking of its jobs plan which, since the rivers of GST gold have dried up, has been exposed as nothing more than window-dressing to hide the fact that we are now in the middle of a crisis for which the government has no plan and no answer.

There is indeed a real art form in being able to say that we are protecting jobs by losing jobs. I think it is fantastic to be able to stand up in this place and say with a straight face, 'We are protecting jobs by losing jobs.' The Premier also says that we have the most reformist training sector in the nation, creating a competitive quality training environment that will help to train our people for the jobs of the 21st century, whilst at the same time his government is quarantining 90 per cent of the places for the government provider, TAFE, effectively killing an entire private industry. The concept of increasing competition by reducing competition is pure doublethink.

The government on the one hand has spent millions in advertising attacking the federal government whilst at the same time claiming that they are working constructively together. Which truth should we believe? They obviously believe both. There is a bliss in the concept of doublethink, an intellectual ecstasy that comes from being free from normal deductive reasoning and simply accepting that you can say and believe one thing, in fact do the opposite, but still hold both things to be true.

The South Australian people, though, cannot experience this same bliss. In fact they should be scared that every time this Labor government reaches its cold, slimy, grubby hands into the pockets of South Australians to fish around for every last cent of tax that it can squeeze, it will not be spending this money wisely. In fact it could end up being used to taxi the tourism minister up and down the street, spending that the Premier believes to be entirely appropriate, or it could be wasted on a redundancy program that did nothing to reform the public sector or be wasted preparing for half-baked ideas that get canned, with millions of dollars wasted in the process.

It may seem a joke to some that this government has been able to enter an alternative universe free from causation, correlation and consequence, but back here, seeing the experience of cold, hard reality, there are no jokes, just the realisation that the Labor experiment has failed and, as a state, we will continue to pay for these mistakes, over and over again.

METROSTARS SOCCER CLUB

Ms WORTLEY (Torrens) (15:43): I rise today to congratulate the MetroStars Soccer Club on their remarkable performance in the national FFA Cup competition. Based in my electorate of Torrens, the club, which plays its home games at the TK Shutter Reserve, was formed in 1994 and recently celebrated its 20 years.

With 300 juniors and more than 50 seniors, MetroStars gives players of all ages and standards the opportunity to get a game of football and the possibility of rising through the grades to play top-level football. Of course, when we are talking about football, in this instance, we are talking about the round one—soccer.

Mr Tarzia: I haven't seen you at any games, though, Dana.

Ms WORTLEY: Well, you have missed me. The club fields teams in the seniors, reserves and under 18s, and it has eight youth teams and a further 12 junior teams. It gives everyone from the age of six the opportunity to get involved not just in a great sport but in a great club and community culture. I was there recently when they played against the Port Adelaide Lions, who they defeated,

and I was also out there at the FFA Cup last Tuesday. It is that little bit extra that gives the club that special position in the community. They really do know what local is, and I have heard some wonderful stories about what they are doing out there in the local community.

Today, however, it is the seniors that I want to speak about. When they went into the FFA Cup this year, they were not expected to advance very far by those outside the club. Of course, those inside had different views. They were dismissed by many in the Eastern States. Here was a small but proud local club from Klemzig in South Australia taking on the might of some of the strongest interstate clubs.

They were not supposed to get near all-conquering Blacktown City and, when they trailed 1-0, their chances really did not look good. They played this game away, of course, but the plucky side from Adelaide's inner north-east fought back hard, stunning the tournament favourite with a fast-moving game that resulted in a wonderful 2-1 away win. Everyone at MetroStars should be proud of their achievements.

They went on then playing in the FFA Cup, and I was out there last Tuesday week watching them—it was a freezing cold night—at the Elite Systems Football Centre at Angle Park. They played a wonderful game, and at half-time the score was nil-all. Unfortunately, in the second half, MetroStars had a goal kicked against them. I have to say that everyone there should be very proud of their achievements. It was not the result that we had all hoped for, but the players can hold their heads high.

On that night, playing his last career game, goalkeeper Daniel Godley, who recently played his 400th game, was carried off the field by his teammates and given a standing ovation. From president Andrew Perrone to senior coach Michael Pirone (whose names are spelt differently and are no relation), to the committee members and a host of assistants, coaches, trainers and of course players, the club really should be proud. They gained the opportunity to play in the FFA Cup through winning the 2014 NPL Australian championship which made them actually qualify this year for the 32-team FFA Cup.

In 16 years at the top of the league, MetroStars have won 18 minor premierships, three major championships and three cups as well as having played in the round of 16 in the FFA Cup this year. So, congratulations to MetroStars, you have really done yourselves proud. I look forward to being able to go out again to watch you next year. Win, lose or draw, you have proven yourself a great local sporting club both on and off the field.

CAMPBELLTOWN CHESS CLUB

Mr TARZIA (Hartley) (15:48): I thought I would bring the house's attention to some functions that I attended in and around the winter break. I would like to speak about those community organisations and the great work that they are doing starting with, firstly, the Campbelltown Chess Club. I was fortunate enough to attend the Campbelltown Chess Club annual awards at the weekend, which were actually held at Thorndon Park in the suburb of Paradise. There was a barbecue provided by one of the local Rotary clubs. I commend Sabrina and David—two of the organisers of the Campbelltown Chess Club—for the good work that they do.

I was fortunate enough to be able to donate and present a couple of trophies to the B grade most improved junior player and also the C grade most improved junior player. I would like to thank the parents who, all year, have supported their children at the Campbelltown Chess Club, as well as the organisers of the club, the committee, who do a fantastic job offering this activity to the children of Campbelltown.

Furthermore, I had the great pleasure of hosting the Campbelltown Uniting Church evening fellowship group just before the break and they were also a pleasure to host. They do a number of fantastic mission-type functions in the community. They raise money, have an annual fete, have a domestic violence supporting role and do great work in the community. I would like to commend them for the marvellous work that they do and encourage them to keep at it.

I also attended the St Joseph's, Tranmere official opening of a refurbished administrative area. The function this morning was attended by several students and parents as well as teachers of the school. The students did a fantastic job this morning. We were blessed to have a fantastic

array of music and listen to some of the students speak. I commend the school for the good work that they are doing and I look forward to attending their upcoming fete that they have every two years.

Recently, I attended the Hectorville Sports and Community Club's junior football presentation. I would like to pay tribute to Sandy McCulloch who is the director of strategy and marketing at the Hectorville Sports and Community Club. A few years ago Sandy joined the club and she has transformed it. She has taken it from a traditional football club to a much broader club.

The Hectorville Sports and Community Club has several sports. They play netball, tennis and football. They are also looking to incorporate other sports at this organisation. It is a huge club with hundreds of members and it always is a joyful day when I attend the junior presentation day. It was a pleasure to pay tribute to the parents at the club for the supporting role they have for their children throughout the year, as well as the junior players. There was a jumping castle and a barbecue and it was quite a joyful event. I would like to commend the Hectorville Sports and Community Club for all that they do in the community.

After speaking about some positive things, unfortunately I do have to draw the house's attention to another broken promise under this Labor government in my electorate. This comes on the back of other broken promises in the Hartley electorate. Firstly, I refer to the Glynde substation, which the Labor party promised before the last election to provide alternative land for. They still have not provided it. Secondly, there is the Paradise Interchange. They promised to build extra car parking, but they have not done that. Thirdly, there is Lochiel Park. Seven years later, Lochiel Park residents still do not have the recycled water that they were promised.

Finally—and hopefully this is the last broken promise, but I can only hope—I refer to the BIRCH facility at Felixstow. During estimates, I asked the health minister about his intentions and the department's intentions for the BIRCH facility and I specifically said, 'Does the government have any intention to sell the site, move the site or close down any facilities from the site?' He said, 'As far as the facility itself, there are certainly no plans to change it.' Then I read on the front page of last week's Messenger that the Felixstow Brain Injury Rehabilitation Community and Home is to close, leaving residents in Adelaide's east in the lurch. I would like to discuss this on another day.

Time expired.

WELCOME TO AUSTRALIA

The Hon. P. CAICA (Colton) (15:53): It is my privilege to be jointly hosting on 19 September a welcome event in my electorate to be held at the beautiful Reedbeds Community Centre at Fulham. I am jointly hosting this with Welcome to Australia and the City of West Torrens. I know that you are acutely aware of the role that Welcome to Australia plays, Deputy Speaker, as are many members in this place. I also acknowledge the contribution being made by Mayor John Trainer and the West Torrens council with some funding for this event, as well as the multicultural state government grant that was awarded to host this event.

The aim of the event is to bring together people from emerging communities, refugees and other multicultural groups from our community. On that day we will be providing a free barbecue and there will also be events for children including, amongst other things, a jumping castle. We will also have the Afghani women's choir in attendance, members from various multicultural organisations and clubs, and performances by our magnificent local Henley and Grange band as well. Certainly, it is my view that an event like this provides a great opportunity for the diverse members of our community to come together in a formal setting and get acquainted with one another and feel part of the new community, and for others in attendance as well (people from within the area and elsewhere) to make those people know and feel that they are welcome in Australia.

For those who do not know the Welcome to Australia team or organisation, it includes people from a range of cultures, faiths, ages and political persuasions, and I am pleased to report that Welcome to Australia will partner with anyone who wants to offer a warm, positive and dignified welcome to asylum seekers, refugees and other new arrivals and who are committed to the vision of an inclusive, welcoming and just Australia.

The Welcome BBQ I believe is a special event, and it is special because it is a tangible expression and celebration of the Colton electorate and the West Torrens community's willingness

to welcome refugees. Not only that, it engages everyday Australians in the act of cultivating welcome and acting out the kind of community that they want to be—a culturally diverse and richer community for the contribution made by refugees, past and present, that also provides a space for everyone to come together and be able to express those values and make new friends.

I have been heartened by the positiveness of local organisations to showcase their sporting clubs and promote membership. For example, the Grange Lawn Tennis Club (I have spoken about them before) have a very active program of engaging people from emerging communities in playing tennis, and they will be coming along on the day with tennis equipment to share with those attending, amongst other community organisations that will also be in attendance.

We also have many special guests coming that day. I am very pleased that Steve Georganas (the candidate for Hindmarsh) will be attending. Senator Wong and her family will be in attendance. Minister Close and her family have made a commitment to attend. Numerous councillors of the West Torrens council and, of course, Mayor Trainer and Mayor Keneally will attend, amongst many others.

I am very pleased, as I said, to be able to co-host this event. I am very proud of the work that Welcome to Australia does and, for those who have not been to their Hawker Street Welcome to Australia centre, I urge you to go along and attend and meet these people we are all trying to make feel welcome here in South Australia.

I want to finish off in the last 40 seconds I have left by saying that here we are setting up a situation where we welcome people to Australia and I must admit I have been a bit horrified, like so many people, at the largest humanitarian crisis that this world has seen since the conclusion of the Second World War. I have been very disappointed with the federal government's attitude with respect to Australia's role in assisting in this humanitarian crisis. I am somewhat heartened, although it remains to be seen whether or not we will lift our intake of humanitarian refugees for relocation to Australia. I urge all South Australians to make sure that we lobby our local members to make sure that we, Australia, play our part.

Parliamentary Procedure

STANDING ORDERS SUSPENSION

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) (15:58): I move:

That standing orders be so far suspended as to enable the introduction of three bills without notice.

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

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

Motion carried.

Bills

LOBBYISTS BILL

Introduction and First Reading

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) (16:00): Obtained leave and introduced a bill for an act to regulate the lobbying of public officials; and for other purposes. Read a first time.

Second Reading

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) (16:01): I move:

That this bill be now read a second time.

This bill is part of a package of reforms to strengthen and improve the state's public integrity system. Another part of this package is the Parliamentary Remuneration (Determination of Remuneration) Amendment Bill 2015 to be introduced today.

Lobbying is a legitimate part of the democratic process. There is an expectation, however, that lobbying activities will be carried out transparently and with integrity. I seek leave to have the remainder of the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

The Bill imposes post-separation rules to restrict the lobbying activities of Ministers, Parliamentary Secretaries, ministerial staff and departmental executives after they leave office. Ministers receive a complete ban on professional lobbying activities for two years after the Minister leaves Ministerial office. Parliamentary Secretaries, ministerial staff and departmental executives are banned from professional lobbying activities for 12 months after leaving office in relation to all matters the individual had official dealings with.

The Bill also provides that a person who is a member of a government board is prohibited from engaging in professional lobbying during the term of their appointment to that board. At the commencement of this Act, a registered lobbyist who wishes to continue as a government board member must surrender his or her registration as a lobbyist. Conversely, if the person wishes to continue as a professional lobbyist, he or she must resign from that Government board.

The Bill will prohibit the giving and receiving of success fees and imposes strict requirements for registration as a lobbyist (including requirements for the lodging of annual returns). Apart from the penalties imposed in relation to success fees and the giving of false or misleading information, penalties are also imposed for engaging in lobbying except in accordance with the registration requirements.

The register will be managed by the Chief Executive, Department of Premier and Cabinet, who may, on his or her own initiative or on application by a registered person, exempt some or all of a person's details provided in an annual return, for example, where such disclosure might prejudice the commercial position of a person or confer a commercial advantage on a person.

The Bill imposes a tough but fair scheme on professional lobbyists. It provides clear rules of engagement between lobbyists and government officials consistent with community expectations, best practise and the Government's undertaking to improve and build on the State's public integrity system.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

3—Interpretation

This clause sets out definitions of terms used in the Bill.

4—Meaning of lobbying

Subclause (1) sets out the meaning of lobbying (and in doing so defines the scope of the activities to be governed by the Bill). Under the Act, a person will be taken to engage in lobbying if the person, for money or other valuable consideration and whether as a principal or employee or agent of another, communicates with a public official on behalf of a third party for the purpose of influencing the outcome of—

- legislation, or a government decision or policy, whether existing or proposed; or
- an application for any approval, consent, licence, permit, exemption or other authorisation or entitlement under any Act or law of this State; or
- the awarding of a contract or grant or the allocation of funding; or
- any other exercise by the official of his or her functions or powers.

Subclause (2) sets out the circumstances in which a person will not be taken to engage in lobbying under the Act, namely—

- if the person holds office as a public official and communicates with the public official in the ordinary course of holding that office; or

- if the person is a legal practitioner (holding a current practising certificate under the *Legal Practitioners Act 1981*) and communicates with the public official in the ordinary course of that person's profession as a legal practitioner; or
- if the person is an accountant or financial adviser (holding qualifications of a kind prescribed by regulation) and acts in circumstances prescribed by regulation; or
- if the person belongs to a class prescribed by regulation and acts in circumstances prescribed by regulation.

Subclause (3) further qualifies subclause (1) by providing that a person will not be taken to communicate with a public official on behalf of a third party if the third party is a designated organisation and the person, being an employee of the organisation, communicates with the public official in the ordinary course of that employment.

Subclause (4) defines the term *designated organisation* (used in subclause (3)) as—

- an employer organisation, employee organisation, professional organisation or some other organisation established to represent the industrial or professional interests of its members; or
- an organisation established for a charitable, educational, benevolent, humanitarian, religious, recreational, sporting or philanthropic purpose; or
- an organisation, or an organisation of a kind, prescribed by regulation.

Part 2—Registration

5—Lobbyists to be registered

A person must not engage in lobbying except in accordance with a registration under the Act. The maximum penalties for the offence are $150 000 for a body corporate or $30 000 or imprisonment for 2 years for a natural person.

In addition to a penalty payable under subclause (1), the amount or value of any payment received by a person for lobbying in contravention of subclause (1) is forfeited to the Crown unless the court determines that the amount or value not be forfeited, or if it has been forfeited, that it be returned to a specified person.

6—Entitlement to be registered

A person is entitled to be registered if—

- the person is entitled to apply for registration under the Act (the Act prescribes circumstances in which a person is not entitled to apply for registration, for example, section 9(3) and section 13(1)(a)(ii) and (c)(ii); and
- in addition—
  - (i) in the case of a natural person, the person—
    - (a) has not been convicted of an indictable offence; or
    - (b) has not, during the period of 10 years preceding the application for registration, been convicted of a summary offence of dishonesty; or
  - (ii) in the case of a body corporate, no director of the body corporate—
    - (a) has been convicted of an indictable offence; or
    - (b) has, during the period of 10 years preceding the application for registration, been convicted of a summary offence of dishonesty.

7—Application for registration

This clause sets out the procedure for applying for registration and gives the Chief Executive the power to require further information in relation to an application. The Chief Executive must refuse an application for registration if satisfied that the applicant is not entitled to be registered under section 6, and may refuse an application if the person does not comply with a notice requesting further information in relation to the application. The Chief Executive must notify the person in writing of the refusal of the person's application.

8—Annual fee and return

This clause requires a registered person to pay an annual fee and lodge an annual return. The details that the annual return must contain are—

- the name of each person or body for or on behalf of whom the registered person has engaged in lobbying, or with whom the person has had an agreement to engage in lobbying;
- the name of each public official who was lobbied by the registered person;

- the subject matter of the lobbying engaged in;
- the name of any person employed by or otherwise engaged by the registered person to engage in lobbying (whether or not the person in fact engaged in lobbying);
- any other details prescribed by regulation.

The Chief Executive may require further information in relation to a return, and may require a person who has failed to pay the fee or lodge the return to do so, and in addition, to pay a penalty of an amount prescribed by regulation.

Subclause (3) clarifies that a registered person is not required to pay a fee and lodge a return if the person only engaged in lobbying as an employee of, or person otherwise engaged by, another registered person during the year to which the return relates.

9—Duration of registration and cancellation and surrender

A person's registration remains in force until it is cancelled or surrendered or the person dies or, in the case of a body corporate, is dissolved.

The Chief Executive must cancel a person's registration if satisfied that—

- events have occurred such that the person is no longer entitled to be registered; or
- the person was not, when first applying for registration, entitled to be registered.

The Chief Executive may cancel a person's registration if satisfied that—

- the person has failed to comply with a requirement under the Act; or
- the person has breached a condition of an exemption under section 12 or a condition of the person's registration under section 13.

A consequence of cancellation of a person's registration is that the person is disqualified from holding registration, and is not entitled to apply for registration, for 2 years.

10—Register of lobbyists

This clause requires the Chief Executive to keep a register of persons who engage in lobbying. The matters to be included on the register are:

- the name, including any business name or trading name, of the person;
- the business address of the person;
- the ABN of the person;
- the name of each owner of the person's business and any partners or major shareholders in the business;
- the name of each employee of, or person otherwise engaged by, the person and their positions in the business;
- any condition of registration applying in relation to the person under section 13;
- each return provided by the person under section 8(1);
- any details provided to the Chief Executive under section 11(1)(a) in relation to new lobbying agreements;
- any other details considered appropriate by the Chief Executive or prescribed by regulation.

The register is available for inspection by members of the public at a public office, or on a website, determined by the Chief Executive.

11—Notification of change of details

This clause requires a registered person, within the time specified in that provision, to notify the Chief Executive of—

(a) any new lobbying agreements (but note that this notification requirement does not apply if the person engages in lobbying under the agreement as an employee of, or person otherwise engaged by, another registered person); and

(b) any conviction of an offence disentitling the person to be registered under section 6; and

(c) any change in the person's registered details referred to in section 10(2)(a) to (f).

Failure to comply with this provision attracts a maximum penalty of $5 000.

12—Exclusion of information from register

This clause enables the following kinds of information, provided in an annual return or notified to the Chief Executive under section 11, to be excluded from publication on the register, as determined by the Chief Executive:

(a) personal information of a confidential nature;

(b) information that has a commercial or other value that would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed;

(c) information the disclosure of which would, or could reasonably be expected to, prejudice the commercial position of a person or confer a commercial advantage on a person;

(d) information the disclosure of which would be contrary to the public interest for any other reason; or

(e) information the disclosure of which would be inappropriate for any other reason.

However once the exemption expires or is revoked, the information will be published on the register.

Exempt information is not liable to disclosure under the *Freedom of Information Act 1991*.

Part 3—Restrictions on lobbying

13—Certain former or current public officials must not engage in lobbying

This clause places restrictions on lobbying carried out by certain former public officials and by members of government boards.

First, a person who, after the commencement of the provision, ceases to hold office as a Minister must not, during the period of 2 years after ceasing to hold office, engage in lobbying.

Secondly, a person who, after the commencement of the provision, ceases to hold office as a Parliamentary Secretary, a member of SAES, or person engaged as a member of a Minister's personal staff must not, during the period of 12 months after ceasing to hold office, engage in lobbying in respect of matters dealt with by the person in that office. Any registration held by the person during that period is subject to a condition that the person must not engage in lobbying in respect of matters dealt with by the person in that office.

Thirdly, a member of a government board must not engage in lobbying whilst holding that position.

If more than 1 restriction applies in relation to a person under this clause, all restrictions apply concurrently, with the most stringent prevailing in the event of any inconsistency.

14—Success fees prohibited

This clause prohibits a person from giving or receiving, or agreeing to give or receive, a success fee for carrying on the business of lobbying. A *success fee* is defined as an amount of money or other valuable consideration the receipt of which is contingent on the outcome of lobbying. The maximum penalties for the offence are $150,000 for a body corporate or $30,000 or imprisonment for 2 years for a natural person.

In addition to a penalty payable under subclause (1), the amount or value of a success fee received by a person for lobbying in contravention of subclause (1) is forfeited to the Crown unless the court determines that it not be forfeited, or if it has been forfeited, that it be returned to a specified person.

Part 4—Reviews

15—Reviews

This clause enables a person whose application for registration has been refused, or whose registration has been cancelled, to seek a review of the decision by SACAT.

The clause further sets out the procedural requirements for applying in relation to such a review.

Part 5—Miscellaneous

16—Delegation by Chief Executive

This clause sets out the Chief Executive's delegation powers under the Act.

17—False or misleading information

This clause prohibits a person making a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in any information provided under the Act. The maximum penalty for the offence is $10,000.

18—Service of notice

This clause sets out the ways in which a notice or document is regarded as having been given or served under the Act.

19—Regulations

This clause sets out the regulation making powers.

Schedule 1—Transitional provisions

1—Success fees

This clause provides a transitional provision relating to success fees payable pursuant to agreements entered into before the commencement of clause 14.

Debate adjourned on motion of Mr Pederick.

PARLIAMENTARY REMUNERATION (DETERMINATION OF REMUNERATION) AMENDMENT BILL

Introduction and First Reading

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) (16:01): Obtained leave and introduced a bill for an act to amend the Parliamentary Remuneration Act 1990. Read a first time.

Second Reading

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) (16:02): I move:

That this bill be now read a second time.

Currently, the remuneration payable to members of parliament is determined by the Parliamentary Remuneration Act 1990 (the Act) and comprises:

- the basic salary (equivalent to the basic annual salary of commonwealth members of parliament minus $42,000);
- if the member holds an office listed in the schedule to the act additional salary equal to the percentage of the basic salary attaching to that office as specified in the schedule; and
- such allowances (including electoral allowances), expenses and benefits as are determined from time to time by the Remuneration Tribunal.

In addition to 'remuneration' within the meaning of the act, members of parliament receive a number of allowances, expenses and benefits (determined by parliament or the executive government). It is fair to say that the level of remuneration payable to members of parliament generates a degree of disquiet amongst voters.

Members, even backbenchers, earn salaries well above the national wage. We have access to generous travel entitlements and other benefits. Partly this disquiet stems from the way remuneration and other entitlements are determined. Although the tribunal is responsible for determining some of the allowances, expenses and benefits, the public sees the current mechanism for determining the basic salary as politicians setting our own pay. Accordingly, I seek leave to insert the remainder of the second reading explanation in *Hansard* without my reading it.

Leave granted.

Recent disclosure of the use of travel entitlements by some members of Parliament (both State and Federal) have, justifiably or not, fuelled public and media criticism of Parliamentary entitlements.

In response to this issue, His Excellency the Governor, in his speech to Parliament on 10 February this year, stated:

'...But if my government legislates to guarantee the independence of our parliament, it must also do more to ensure that it attracts the best and brightest hearts and minds committed to public service.

There is need to review the remuneration of members of parliament.

Recompense should reflect the high demands and great responsibilities of office but it should also be transparent and independently determined.

The Remuneration Tribunal will be asked to conduct a review of parliamentary remuneration.'

The *Parliamentary Remuneration (Determination of Remuneration) Amendment Bill 2015* (the Bill) amends the *Parliamentary Remuneration Act 1990* to give effect to this commitment. The main effect of the Bill is to confer new powers and functions on the Remuneration Tribunal and to change the way the 'basic salary' for members of Parliament is calculated.

New section 3B abolishes the following allowances, benefits and fees payable to members (and former members) of Parliament:

- the travel allowance;
- the metrocard special pass
- remuneration consisting of subsidised or free interstate rail travel (colloquially referred to as the 'Gold Pass')
- expense allowances of Ministers of the Crown as determined by the Tribunal
- expense allowances of certain officers of the Parliament as determined by the Tribunal, being:
    - the Speaker
    - the Chairman of Committees
    - the Leader of the Opposition in the House of Assembly
    - the President
    - the Leader of the Opposition in the Legislative Council

In so far as it is relevant, former members of Parliament currently in receipt of benefits attaching to their former Parliamentary service will continue to be entitled to those benefits. The power of the Parliament or the Crown to provide allowances and other benefits that are in addition to a member's remuneration is not also affected.

The Bill confers new obligations, powers and functions on the Tribunal. This is to promote the transparency and independence and, as a result, integrity of the process.

New section 3A requires the Tribunal, in relation to an enquiry, determination or other function relating to the remuneration of members of Parliament, to endeavour to maximise the transparency of Parliamentary remuneration. The power of the Tribunal to determine difference allowances according to a particular member, their electorate, their House or other circumstances is retained.

New section 4AA requires the Tribunal to ascertain the full value of the travel allowance, metrocard special pass and remuneration amounts payable to members of Parliament in respect of subsidised or free interstate rail travel (colloquially referred to as the 'Gold Pass') that are abolished by new section 3B. The Tribunal is then required to determine an amount of remuneration that reasonably compensates members of Parliament for the abolition of each of those components.

New section 4AA also requires the Tribunal to determine an amount of remuneration to compensate members for the loss of payments for Parliamentary Committee work.

The amounts determined by the Tribunal in respect of each of these matters must be aggregated into a single amount representative of a common allowance to be payable to all members of Parliament. This amount cannot be more than $42,000, the current amount by which the Commonwealth basic salary exceeds the State basic salary. The components of this common allowance must be reviewed every 12 months.

New section 4AB provides that the basic salary is determined by deducting $42,000 from the Commonwealth basic salary and then adding an amount equivalent to the common allowance as determined by the Tribunal. In this way the Bill ensures the independent Tribunal has role in fixing the remuneration payable to members of Parliament but in a way that retains a nexus between the Commonwealth and State basic salaries.

The entitlement to additional salary for members of Parliament who hold an office specified in the Schedule (Premier, Deputy Premier, Speaker, President, ministers Leader and Deputy Leader of the Opposition etc.,) remains (with the exception of ordinary members of Parliamentary Committees). This is confirmed in new section 4AC. However, new section 4AC:

- adds Shadow Minister to the list of offices in the Schedule and provides that additional salary of 25% of the basic salary is payable to Shadow Ministers (up to the number of Ministers);
- empowers the Tribunal to determine that a member of Parliament holding an office other than those specified in the Schedule should be paid additional salary and determine that rate of additional salary;
- makes clear that a member holding more than one Scheduled office is only entitled to payment of additional salary in respect of one office.

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 *Parliamentary Remuneration Act 1990*

4—Amendment of section 3—Interpretation

This clause inserts into section 3 of the principal Act definitions used in provisions inserted by the measure.

5—Insertion of sections 3A and 3B

This clause inserts new sections 3A and 3B into the principal Act as follows:

3A—Determinations etc of Remuneration Tribunal

This section sets out provisions conferring jurisdiction, and making procedural provision, in respect of determinations etc made by the Remuneration Tribunal for the purposes of the Act.

3B—Abolition of certain remuneration

This section lists a number of allowances and other forms of remuneration that are, following the commencement of the measure, no longer payable to members.

However, the clause grandfathers certain benefits payable to former members of Parliament to whom they were payable immediately before the commencement of the provision.

6—Substitution of section 4

This clause substitutes new sections 4 to 4AC for current section 4 of the principal Act as follows:

4—Remuneration

This section sets out the components of the remuneration of members of Parliament.

4AA—Common allowance

This section creates a common allowance, effectively consisting of the remuneration that was payable in common to all members and replacing some of the allowances etc that are abolished in accordance with new section 3B.

The common allowance also contains a component replacing fees for all members of parliamentary committees, which will no longer attract additional salary.

4AB—Basic salary

This section provides that the basic salary of a member of Parliament is the basic salary payable to Commonwealth members less $42,000 plus the common allowance for the relevant year.

4AC—Additional salary

This section sets out when additional salary is payable to the office holders specified in the Schedule, and makes related procedural provision.

7—Substitution of Schedule

This clause substitutes a new Schedule for the existing Schedule of offices, consequent upon the abolition of fees for ordinary committee members. It also includes the office of Shadow Minister in the list of offices.

Schedule 1—Transitional provisions

1—Remuneration under *Parliamentary Remuneration Act 1990* to continue until determination of Remuneration Tribunal

This clause allows members to continue to be paid in accordance with the principal Act (as it was before this measure commenced) until any required determination of the Remuneration Tribunal has come into operation.

2—Certain annual travel allowance claims not payable

This clause limits members' ability to have future amounts of travel allowance brought forward in relation to claims and travel made on or after 1 September 2015.

Debate adjourned on motion of Mr Speirs.

PLANNING, DEVELOPMENT AND INFRASTRUCTURE BILL

Introduction and First Reading

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) (16:04): Obtained leave and introduced a bill for an act to provide for matters that are relevant to the use, development and management of land and buildings, including by providing a planning system to regulate development within the state, rules with respect to the design, construction and use of buildings, and other initiatives to facilitate the development of infrastructure, facilities and environments that will benefit the community; to repeal the Development Act 1993; to make related amendments to the Character Preservation (Barossa Valley) Act 2012, the Character Preservation (McLaren Vale) Act 2012, the Environment, Resources and Development Court Act 1993, the Liquor Licensing Act 1997, the Local Government Act 1999, the Public Sector Act 2009 and the Urban Renewal Act 1995; and for other purposes. Read a first time.

Second Reading

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) (16:05): I move:

That this bill be now read a second time.

The impact of today's planning decisions will either bless or burden future generations. This bill will shape the course of South Australia's development for decades to come. Our city and regions must be the best places to live, work, study and invest. Others should regard our state as a destination of choice. A great planning system is at the core of this vision. Reforming our planning system is one of the most important and enduring things we can do in this parliamentary term. This is truly a chance to lay down a long-term vision, way beyond the narrow constraints of the normal four-year political cycle. We must set South Australia on a long-term trajectory of growth and prosperity. I seek leave to insert the remainder of the second reading explanation in *Hansard* without my reading it.

Leave granted.

The planning system must enable this State to thrive and prosper.

The planning system must encourage investment. It must enable the creation of jobs.

The planning system must have the tools to deliver affordable living options and welcoming communities.

The planning system must compliment other strategic priorities including a great public transport system and vibrant city life. It must respect our environment and protect our food bowl.

Most importantly, the planning system must be open and transparent. The long term public interest must never be compromised for short term political, or corporate gain.

Unlocking South Australia's potential

South Australia has many natural advantages, but so much untapped potential.

We are at a moment of transition from the old to the new economy. It is important to remember these advantages we have and to work to unlock potential. We live in an advanced economy with:

- an adaptable and highly skilled workforce
- first-class science, innovation and academic sectors
- an abundant supply of mineral resources
- an amazing natural environment
- a rich and varied cultural, artistic and sporting heritage, and
- some of the world's best food and wine produce.

Our track record in social innovation, an enviable standard of living and a stable business environment are factors that help make South Australia an attractive destination for investment and people.

It is little wonder that our capital city is consistently rated as one of the most liveable in the world. As is so often the case, though small, we punch well above our weight.

Governments of all political stripes have built upon this potential to shape the South Australia we know today. As history has shown, all that is needed is the confidence to take bold steps.

In recent years, the government has undertaken a number of targeted 'bite size' reforms to regulatory and policy settings that have helped to unlock the potential hidden and unrealised around us.

We've unlocked the potential of our city's laneways through licensing reforms so that now, more than 50 new small venues, are contributing to a new vibrant city culture.

This minor regulatory change has inspired a generation of young entrepreneurs to make Adelaide the place to set up shop.

Zoning changes have unlocked the potential of our inner city, creating opportunities for apartment living, instituting the widely praised design review service and generating up to $4.6 billion in new investment in the past four years.

We're unlocking the potential of Kangaroo Island, establishing the new office of 'Commissioner for Kangaroo Island'. Economic development opportunities are already starting to emerge, such as the recently announced 200-bed tourism facility at American River.

We've started unlocking the potential of our suburbs through rezoning and the use of the Urban Renewal Authority, backed by legislative powers, to drive neighbourhood regeneration. We will see the renewal of 4,500 public housing properties in the inner city, over the next 5 years.

Through the *30-Year Plan for Greater Adelaide* and the *Integrated Transport and Land Use Plan* we have a vision to unlock more potential.

We have been joined in this process, by local councils, through major urban renewal projects and rezoning across the city, in Bowden, Glenside, Glenelg, Tonsley, along The Parade, Unley, Greenhill and Churchill roads. We will continue doing more over coming months to maintain this momentum.

All of this has been backed by a renewal of the infrastructure this State needs to prosper and grow.

The Adelaide Oval and SAHMRI are the standout successes on this front to date. Soon the new Royal Adelaide Hospital and Festival Plaza will be similarly well known. The old RAH site will also emerge as a city focal point.

Planning reform—the journey so far

What has been achieved so far has been involved pulling a few clunky policy levers. These levers, however, are hardware designed for the needs of 25 years ago. They are increasingly inadequate for contemporary and future needs.

We need to set our sights now for future generations through a system-wide reform.

Two years ago we set up an independent expert panel to undertake a comprehensive review of our planning system.

We recognised that to unlock even more potential, in our capital and across the State, tweaks and tinkering won't be enough. This State needed a comprehensive rethink of our planning system and its role as an agent to grow South Australia.

We gave the Expert Panel on Planning Reform, which led this process at arm's length, a mandate to examine every aspect of our planning system.

The Panel met with over 2,500 people. Industry, local government, professional and community groups engaged in a mature and open-minded way with the Panel during this time.

As was apparent from their first two reports, the Panel was prepared to be bold. They did not shy away from inconvenient truths.

The ideas contained in the final report could not have been formed without thorough, genuine consultation.

The government has embraced those ideas in the Bill we now bring before you.

This Bill presents a platform for reform. A package of profound changes to meet contemporary needs.

I hope we can all approach this Bill in a genuine spirit of collaboration.

This Bill directly implements the key reforms recommended by the panel.

It lays down the basic building blocks of a new planning system that will ensure better decision-making, a better focus on design and better consultation processes leading to outcomes that meet community expectations.

As indicated in the government's response earlier this year, we have chosen to undertake further work on several key areas. These are left out of this bill for later consideration. Each is a significant piece of work in its own right.

We have chosen to leave current local heritage provisions essentially untouched while we undertake a close examination of the benefits of integrating our state and local heritage laws under one umbrella. Aboriginal heritage laws are also untouched by this Bill.

We have also left undisturbed existing linkages between mining laws and the planning system, as we continue to work through issues concerning multiple land uses.

As members will know, the government has been pursuing a multiple land use framework with the resources sector and this is the appropriate process for the intersection planning, environmental and mining issues to be explored.

We have also chosen to leave the Urban Renewal Act essentially unchanged for the time being. The amendments passed in our last term need to be bedded down.

Lastly, we have decided that issues around open space and public realm, although partly addressed in this Bill, require further work in the longer-term consideration.

Although all of these are important issues and require more time to resolve, this should not delay this Bill.

Some of these issues may actually be best explored once the new Planning Commission has been established. The government and community will benefit from the Commission's advice.

The deferral of these matters aside, there is nothing in this Bill that should be unexpected.

As we indicated in the government response to the panel's report earlier this year, the Bill does go further than the panel's advice in one respect.

The Bill will create new protection for our farmlands and environmental areas around Adelaide in the form of an environment and food production reserve. This area will be given appropriate priority.

The provisions in this Bill for this area are modelled on the laws we have already enacted for the Barossa Valley and McLaren Vale. As with those laws, parliament will have a role in any change which may adversely impact upon these important natural assets.

This is both good planning policy and a critical public integrity issue. Total transparency and public debate about such important decisions is both a protection for future taxpayers and a bulwark against corruption and special pleading behind closed doors.

Combined with the existing Hills Face Zone and other open space zones, this will give Greater Adelaide a 'green belt', mirroring the parklands around the city mile itself. Our first government planner originally envisaged this nearly 100 years ago.

It will make sure our market gardeners, vignerons and fruit growers spread through the Fleurieu and the Adelaide Hills can be certain that their livelihoods will not be affected by opportunistic urban development.

At the same time, as is the case now, compatible rural activities, such as existing small-scale quarries, will be able to continue consistent with the appropriate zoning policies.

Importantly, this innovation will also help to pivot Adelaide's future growth towards employment generating urban renewal, saving future taxpayers billions of dollars.

Given we have more than 20 years' supply of zoned land in Greater Adelaide, this is an easy step for this parliament to take, safe in the knowledge there will be no adverse effect on housing affordability. In the future, subject to periodic review, adjustments can be made by consensus and with the best available evidence at hand.

Of course, all of these measures will be backed by other new tools that will ensure the protection offered by this clause is given life at all levels in the system.

Affordable housing and living is a priority for this government. A growth in home ownership will take pressure off of the public and not-for-profit housing sectors.

Powerful sectional interests have perpetuated myths about affordable housing. These myths repeated so often, have become conventional wisdom. These myths are self-serving in the mouths of their proponents who are often more concerned with maintaining lucrative, taxpayer subsidised, mid-twentieth century business models than with housing affordability. It is time to explode these myths.

It is time to lift the burden of basic infrastructure from first homebuyers, by sharing the cost over time and reducing barriers to first homebuyers from entering the market.

It is time to produce housing that meet the needs of contemporary and future household formation. It is time to place affordable housing nearer to work and services, saving homeowners a fortune in transport costs and other services.

This Bill will be an enabler to these positive changes.

Why urban renewal is the way forward

This government has made no secret of our desire to focus on urban renewal and regeneration as an alternative to urban sprawl. This Bill helps us to deliver on that vision.

We must be able to build homes where the jobs are and must have a planning system that enables us to do this. We cannot ignore the fact that everyone wins through thoughtful infill development.

We know that a more compact urban form not only makes daily life better but also makes for a more sustainable and vibrant city. A city that aims to be truly carbon neutral cannot be based on sprawl.

Adelaide has the lowest density of any Australian capital city. Yet our higher-density suburbs such as Black Forest and Parkside, with 3,000 people per square kilometre, Glenelg South with 3,500, and the south-east of the city with 4,000, are considered some of our most desirable, liveable and vibrant suburbs.

These are suburbs with character and people aspire to live in them.

It is no coincidence that cities around the world with similar densities—Melbourne, Prague, Stockholm, and Vancouver, have viable, cost-effective and quality transit systems.

Simply put, infill creates more economic benefits, costs less to service and makes for a better life for residents.

The following facts illustrate this clearly:

- at infill locations the cost to provide infrastructure is between $15 and 45 million, where fringe developments cost a staggering $62 to 89 million: up to 600 per cent more
- for every 1,000 homes built at infill locations there are more than twice as many jobs created compared to fringe developments
- overall, the economic benefit per 1,000 dwellings in infill locations equates to more than twice as much as compared to fringe development.

It is sobering to remind ourselves that a century ago Adelaide's CBD had double today's population and most of what is now the eastern suburbs, from Magill to Colonel Light Gardens were fertile, productive market gardens interspersed by villages.

In the intervening century we have designed and built many of our suburbs around industries, economies, business models and lifestyles that we now know are unsustainable. Our city is a legacy of cheap petrol, ignorance of climate change, a love affair with private motor vehicles, and concealed State Government subsidies of greenfield development infrastructure costs.

We cannot allow these out-dated approaches determine our future.

We can, however, capitalise on 21st-century planning and design to unlock the potential of our inner and middle-ring suburbs as the turnover of older housing stocks opens up redevelopment opportunities.

It would be a wasted opportunity if we did not get the best legislative framework in place now.

Why our planning system needs to change

Our planning system must be the most competitive in the nation if we are to attract and retain the investment we need to provide jobs and services for future generations of South Australians.

It is clear from the more than 2,500 people who participated in the Expert Panel's engagement process that there is a real and genuine appetite for change in our community.

It is also clear that our current system is struggling under the task. As the panel said, 'We cannot continue with a system that is increasingly unaffordable, unsustainable and unconnected to our future needs'.

With more than 23,000 pages of regulation in our current system it should not be surprising that over 90 per cent of development applications are forced to go through the most onerous and lengthy of assessment processes.

In sum, our current rulebook is unclear, inconsistent and out-of-date.

Until we fix these and other issues, we will always have difficulty in cementing the potential of Adelaide as one of the world's great cities in which to live and work.

Without change, the pressure to use valuable farmland and environmental assets instead of renewing our inner city neighbourhoods will continue. The public realm will continue to be an afterthought, and the hidden costs of fringe living will continue to be passed on to the next generation of taxpayers and new home buyers.

There will continue to be inadequate integration of transport needs, poor coordination of infrastructure with urban development, and fitful attention to those design features that can help make our city carbon-neutral in years to come.

This cannot continue.

Local councils, who will always have a central role in planning policy, are willing to play their part.

The recent employment summit hosted by the Lord Mayor, and supported by the Premier, showed how much state and local government can achieve working together. I hope this Bill will be seen as another opportunity to cooperate.

In the new planning system, councils will continue to take the lead in engaging with their communities, facilitating high quality development and helping set the rules for what can happen and where. They will have better ways to collaborate regionally and better avenues to engage on long-term planning issues through the new State Planning Commission.

I feel confident that councils will embrace the opportunities this new planning system will present. This government will work with local government to ensure a smooth transition as we implement this Bill, if passed.

South Australia needs a planning system that will contribute to a stronger economy and a better lifestyle for all South Australians, today and tomorrow.

A planning system that will enable developments, big and small, to happen quickly and easily.

A planning system that promotes design quality at every scale and in every project, and ensures integrated delivery of infrastructure and services to communities.

A planning system that places a premium on professionalism and is based on ongoing, meaningful engagement with communities.

A planning system that will open the door to investment and help generate jobs.

This Bill delivers the effective, efficient and enabling planning system the South Australian community, business and industry want and deserve.

It provides the basic building blocks for the new planning system. It has been developed in a tight timeframe to deliver the reforms South Australian communities, businesses and industries have told us they want.

I would like to pause at this point to put on record my thanks to the many members of the public service, in the Department of Planning, Transport and Infrastructure, Parliamentary Counsel and elsewhere, who have contributed to the development of this important Bill.

I would also like to thank the many community, business and professional groups who have contributed to this Bill.

I would like to thank my ministerial staff.

I know this Bill is of great interest to members.

I look forward to this debate. I assure members that the government will be open to consider amendments that cure oversights or unintended omissions.

There are also many people outside this place with an interest in this Bill. Comprehensive and detailed resources are available for members, councils and others from my department's website at or by simply entering 'SA planning reforms' into your preferred search engine. A dedicated hotline is also available on 1300 857 392 to answer questions and provide information.

Over the coming month, my department will engage in a comprehensive campaign to ensure councils, business, professional and community groups have access to details of the Bill. Workshops and events with local councils, planning professionals, community, and business groups will enable this parliament to engage with these groups, which were instrumental in the Bill's development.

I commend the Bill to the house and seek leave for the remainder of my second reading speech to be incorporated into Hansard.

I now turn to the key elements of the bill.

A better framework for long-term planning

Long-term planning will form the cornerstone of our planning system, through objects and principles and a new general duty, all set down in law, that reinforce the shared responsibilities of government, local councils, industry and communities.

This will provide the certainty to drive investment and secure better on-the-ground outcomes across South Australia.

With an arm's-length role, a new State Planning Commission will be a trusted central point for coordinating long-term planning and helping the Minister deliver the State's planning goals. The Commission will be charged with providing independent advice on key proposals for policy change, making independent decisions on defined categories of development, and providing independence guidance on matters of procedure and interpretation.

Joint planning arrangements will enable and encourage integration and collaboration at a regional scale. It will provide genuine opportunities for partnership between councils, State Government and communities. This will reinforce the conversations the Premier and Minister for Local Government are leading through the Premier's State/Local Government Forum.

The legislation also introduces a new option for upfront consultation with parliament in setting planning policy, reflecting the importance of democratic processes in building and maintaining policy consensus about policy that can span political cycles.

In particular, a new requirement for parliament to approve (after considering a report and inquiry by the State Planning Commission) any decisions about urban expansion that affect our important food production and environmental areas will also be introduced. This ensures that decisions about urban expansion that confer windfall gains to land owners, or incur major infrastructure costs for the community, are appropriately scrutinized.

This Bill also builds upon the foundations of probity and transparency. It creates a system in which elected officials from local government and the State parliaments will be precluded from joining development assessment panels, effectively de-politicising decision-making. New accreditation requirements will be introduced for persons serving on development assessment panels, thereby ensuring appropriate standards of professional or technical expertise. The Independent Commissioner Against Corruption has been briefed on these matters.

Better ways to engage South Australians

Engagement with communities will be a central feature of the new planning system. Our current system is too heavily geared towards involving communities at the later stages of the planning process, when it is too late to influence outcomes.

The Expert Panel's review demonstrated how, when given the opportunity, South Australians will embrace the chance to make positive and meaningful contributions upfront. This planning-focused conversation with the community must continue. This Bill is founded on the tenet that it will.

A new engagement charter will set benchmarks for meaningfully and genuinely engaging communities as ideas are being formed and tested, giving people genuine influence in the process of developing the plans and policies that will shape their communities.

The charter will allow engagement approaches to be tailored to suit each community and authorities will be obligated to meet or exceed key performance benchmarks.

At the same time, online engagement will be encouraged through a new planning website enabling South Australians to engage with the planning system at anytime from anywhere, in a user-friendly format.

A better focus on design quality

Life in our neighbourhoods and regions happens on our streets, in our parks and public places, the spaces we call the 'public realm'. Too often the design practices necessary to integrate the built form with public spaces are an afterthought in our planning system.

If we want to create communities where people and businesses thrive and neighbourhoods that are liveable, attractive and safe, our planning system must seek and reward high-quality design which integrates development on private land with the public realm.

As we increasingly seek to accommodate future growth through urban renewal and neighbourhood regeneration, it is critical that design considerations have more influence.

In a national first, the Bill will enable the establishment of design standards for the public realm and infrastructure, reinforcing an emphasis on design in other parts of the Bill.

Design is also weaved through a number of other elements of the Bill. Design review, design principles and design-based zoning will make design the bedrock for policies and practices at all levels.

A better, clearer rulebook for everyone

The warren of planning rules continually thwart and exasperate ordinary South Australians trying to build a house, or businesses wanting to deliver a development, will be replaced with a single, easy-to-access set of rules that can be applied consistently across the State.

The new rulebook, the 'Planning and Design Code', will be written in plain language, and focused on design outcomes that can be tailored to address local character needs.

To streamline delivery at a local level, the burden of maintaining convoluted development plans will be lifted from local government, and replaced with a simpler set of regional plans and a menu of zoning options in the code.

It will be supported by a new e-planning system so that planning information is easily accessible online.

This will make updating the rulebook quicker and easier than current cumbersome processes that lead to delays of years.

All of this will help to deliver the government's policies quicker and more consistently.

For example, after nearly a decade we still have many development plans that do not include the government's affordable housing policies: in the new planning system, we will be able to make this change without the need for separate amendments to 72 development plans.

The same is true for statewide policies that touch on critical challenges such as climate change, sea level rise, bushfire management or job creation opportunities. Current clumsy mechanisms such as statewide DPAs will no longer be needed to give effect to such obviously important matters.

Better process leading to quicker decisions

Our planning system is too often focused on processes rather than outcomes.

Homebuilders and small businesses deserve certainty when they apply for approval of development that is expected in a zone.

Yet simple developments are regularly subject to over-engineered assessment processes, resulting in unacceptable delays, wasted effort and avoidable expense.

In short, the development assessment process needs a major shake-up.

New assessment pathways will increase certainty for development that is reasonably expected in given locations, while providing a tailored assessment approach for more complex projects.

This will ensure that effort is matched to the scale, impact and risk of proposed projects, and entry points into full environmental impact assessment will be more transparent.

Importantly, this will align us with federal environmental laws.

The assessment task should not be seen as a dilettante exercise.

It requires technical expertise and that's why in the new planning system, suitably qualified professionals will be empowered to make assessment decisions directly.

We will give council assessment panels and staff the professional independence they need to make decisions, without any need for second-guessing by elected officials.

We will not allow assessment panels to be dominated by the vagaries of local politics. Councillors and members of parliament will be precluded from sitting on assessment panels. This will help reduce the risk for conflict of interest and improve turnaround times.

At the same time, the focus will shift to the needs of applicants, facilitating outcomes, allowing greater flexibility in the way in which assessment is staged, and providing more and better options for decisions to be reviewed.

These changes will mean that minor issues will be dealt with quicker through simpler processes, allowing the limited assessment resources to be directed to where they are needed most.

We will also empower councils with better enforcement tools, including the ability for courts to capture profits from breaches, impose corporate multiplier penalties, and make adverse publicity orders.

Better coordination and delivery of infrastructure

One of the most common complaints communities have about our planning system is that the delivery of important infrastructure is often out of step with the pace of development.

Often it results in funding bottlenecks that leave new homeowners 'stranded' without the services they are entitled to expect.

In the new planning system, essential social and physical infrastructure will be factored in from the outset. Infrastructure needs will be identified, its costs calculated, and locked in before a development can begin, and costs equitably apportioned.

New infrastructure delivery schemes will fairly spread the costs among the beneficiaries. This will ensure a fair share of the windfall gains a landowner obtains from changes to zoning will be spent on community needs.

Unlike other states, we will make sure the costs may be paid over long-term horizons rather than in one upfront lump sum. This will help create opportunities for finance and help avoid price hikes that impact on the affordability of housing for new homeowners.

These tools will be available to both State and local government and enable communities to be involved in the negotiations about infrastructure and facilities delivered as part of new developments.

Transparent, equitable cost-sharing arrangements will encourage better quality and thoughtful developments.

The type of quality development we want to see in South Australia.

At the same time, clear infrastructure design standards will protect industry from gold plating and price gouging.

Better information that is digital by default

South Australians have made it clear they want to interact with the planning system online in their own time.

In the new planning system, all planning information will be accessible on a central e-planning portal.

South Australians will be able to participate in planning processes from consultation to lodgment—anywhere, any time. This online platform will reduce costs for applicants, councils and ratepayers and deliver faster turnarounds and tracking of decisions.

Funding for this new system will be finalised once this Bill has passed and after negotiations with local government. However, there are likely to be substantial cost savings to ratepayers through a 'digital by default' strategy.

The new e-planning portal will not only help make information accessible, it will also improve our capacity to monitor the health of the planning system by capturing data which will enable us to assess and understand the planning system's performance.

Implementing the new planning system

This Bill lays down the building blocks for the new planning system.

It does not include the consequential amendments that will be necessary across the statute books to commence the Bill; nor does it address all the reforms the government agreed it would enact when we issued our response to the Expert Panel's report in March.

It is the government's intention, that once parliament has considered this Bill, a further Bill dealing with consequential amendments, transitional arrangements and related implementation measures will be brought to parliament in the new year. This will be similar to how the *Local Government Act 1999* was implemented.

Our expectation is that this comprehensive suite of reforms to the planning system will need several years to fully implement.

The advantage of this approach is that members will be able to focus on the key elements of the new system in the knowledge that there will be a further opportunity to discuss implementation details. The important policy detail work lies ahead and will involve extensive consultation.

It will also allow the government to work with local councils to put in place an implementation plan.

This will help bed down the new planning system and allow for further targeted reforms to be undertaken in time.

This Bill will transform our planning system and will make South Australia the national leader in planning. This Bill delivers on the strategic priority of making South Australia a place where people and business thrive.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Interpretation

These clauses are formal.

4—Change of use of land

This clause sets out matters relevant to determinations of whether a change in the use of particular land has, or has not, occurred, and further sets out matters that will be taken not to be changes in use.

5—Planning regions and Greater Adelaide

This clause enables the Governor, on the recommendation of the Minister, to divide the State into planning regions for the purposes of the measure, and to designate one of the regions as Greater Adelaide.

The clause sets out matters to be taken into account in relation to Ministerial recommendations and requires the Minister to consult with the Commission and affected councils.

6—Subregions

This clause enables the Minister, after seeking the advice of the Commission, to further divide a planning region into subregions.

7—Environmental and food production areas—Greater Adelaide

This clause provides for the Minister, by notice in the Gazette, to establish within Greater Adelaide (other than any part of Greater Adelaide within a character preservation area) environmental and food production areas, which will be areas protected from urban encroachment.

The variation or abolition of an environmental and food production area cannot occur unless the Commission has conducted an inquiry and prepared a report on the variation or abolition and it has been approved by a resolution passed by both Houses of Parliament.

8—Application of Act—general provision

This clause sets out the scope of the measure's application in the State.

9—Application of Act—Crown

This clause extends the application of the Act to the Crown to the limit of the legislative power of the State.

10—Interaction with other Acts

This clause clarifies that (other than where it is otherwise provided) this measure is in addition to, and does not derogate from, other Acts.

11—Recognition of special legislative schemes

This clause defines *special legislative schemes* for the purposes of the proposed Act.

Part 2—Objects, planning principles and general responsibilities

Division 1—Objects and planning principles

12—Objects of Act

This clause sets out the objects of the proposed Act.

13—Promotion of objects

This clause requires those involved in the administration of the Act to promote the object of the Act.

14—Principles of good planning

This clause sets out principles to which regard should be had by persons or bodies seeking to further the objects of the Act.

Division 2—General duties and coordination of activities

15—General duties

This clause sets out a series of duties applicable to certain persons or bodies under the Act that seek to ensure things under the measure are done in good faith. Those duties include, for example, requirements that people act cooperatively and constructively, are honest and comply with relevant codes of conduct. However, these duties are precatory in nature, and do not create rights of action or liabilities.

16—Responsibility to coordinate activities

This clause sets out the expectation that State or local government bodies or agencies will develop and implement policies that are consistent with the schemes established by this measure.

Part 3—Administration

Division 1—State Planning Commission

Subdivision 1—Establishment and constitution of Commission

17—Establishment of Commission

This clause establishes the State Planning Commission (the *Commission*). The Commission is subject to the general control and direction of the Minister.

18—Constitution of Commission

This clause sets out the Commission's composition, namely a Chief Executive who is a member ex officio, plus between 4 and 6 persons appointed by the Minister and who possess a range of skills and knowledge set out in the proposed section.

The clause also makes procedural provisions in relation to the Commission.

19—Special provision relating to constitution of Commission

This clause provides for additional members for where the Commission is dealing with a matter arising under the measure.

20—Conditions of membership

This clause provides that the conditions of membership of the Commission will be as determined by the Minister, and sets out when members may be removed from office, and when offices become vacant.

21—Allowances and expenses

This clause provides that Commission members may be paid fees, allowances and expenses determined by the Minister.

Subdivision 2—Functions and powers

22—Functions

This clause sets out the functions of the Commission under the proposed Act, and makes related procedural provision.

23—Powers

This clause provides that the Commission has all the powers of a natural person as well as any other power conferred on the Commission under the proposed Act or any other Act.

24—Minister to be kept informed

This clause requires the Commission to keep the Minister informed as to its activities and potential risks.

25—Minister to have access to information

This clause provides in effect that the Minister may require the Commission to collect specified information, and further that he or she may access any information (other than the information referred to in subsection (3)) held by the Commission.

Subdivision 3—Related matters

26—Validity of acts

This clause provides that an act or proceeding of the Commission is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

27—Proceedings

This clause sets out procedural matters relating to meetings of the Commission.

28—Disclosure of financial interests

This clause requires members of the Commission to disclose their financial interests in accordance with Schedule 1 of the measure.

29—Committees

This clause provides that the Commission may establish committees, and makes procedural provision in relation to such committees.

30—Delegations

This clause confers a standard delegation power on the Commission.

31—Staff and facilities

This clause provides that the Commission may be assisted by such public service employees as may be approved by the Minister, and may make use of government assets.

32—Annual report

This clause requires an annual report to be prepared by the Commission and laid before Parliament.

Division 2—Chief Executive

33—Functions

This clause sets out the functions of the Chief Executive (an ex officio member of the Commission).

34—Delegation

This clause confers a standard delegation power on the Chief Executive.

Division 3—Joint planning arrangements

Subdivision 1—Planning agreements

35—Planning agreements

This clause enables the Minister to enter planning agreements with the entities specified in subsection (1).

The matters that a planning agreement may provide for are set out and include the establishing of a joint planning board as contemplated by the Division.

A planning agreement remains in force for 10 years and may be varied or terminated by agreement.

A register of planning agreements must be kept by the Chief Executive.

Subdivision 2—Joint planning boards

36—Joint planning boards

This clause requires the Minister to establish a joint planning board on commencement of a planning agreement under section 34. The joint planning board is constituted in accordance with the terms of the relevant planning agreement, including with respect to its functions and powers.

37—Disclosure of financial interests

A member of a joint planning board who is not a member of a council must disclose his or her financial interests in accordance with Schedule 1 of the measure.

38—Committees

This clause provides that a joint planning board may establish committees (and must do so if the relevant planning agreement so requires), and makes procedural provision in relation to such committees.

39—Subsidiaries

This clause provides that a joint planning board may establish a subsidiary to perform specified activities. The clause sets out requirements relating to the establishment of subsidiaries.

40—Delegations

This clause confers a standard delegation power on joint planning boards.

Subdivision 3—Appointment of administrator

41—Appointment of administrator

This clause enables the Minister to appoint an administrator to administer the affairs of a joint planning board in the circumstances set out in the new section, and sets out procedural provisions applicable if an administrator is so appointed.

Division 4—Practice directions and practice guidelines

42—Practice directions

This clause confers on the Commission a power to issue practice directions for the purposes of the measure. It also requires the Commission to issue a practice direction of a kind set out in subsection (2).

The clause sets out how practice directions are to be published.

43—Practice guidelines

This clause empowers the Commission to make practice guidelines in relation to the Planning Rules and the Building Rules.

Part 4—Community engagement and information sharing

Division 1—Community engagement

44—Community Engagement Charter

This clause requires the Minister to establish a charter relating to public engagement in respect of the measure and other matters.

The clause sets out what the charter may contain, and makes provision in respect of compliance with the charter.

45—Preparation and amendment of charter

This clause sets out how the charter is to be prepared and amended, including consultation and adoption processes.

The clause requires the charter to be reviewed at least once in every 5 year period.

Division 2—Online planning services and information

46—SA planning website

This clause requires the Chief Executive to establish a website (the *SA planning portal*) for the purposes of the measure, and sets out matters relating to the operation of the portal.

47—Planning database

This clause requires the Chief Executive to establish an electronic database (the *SA planning database*) for the purposes of the measure, and sets out matters relating to the operation of the database.

48—Online atlas and search facilities

This clause requires the Chief Executive to establish an online atlas and search facility, and sets out matters relating to the operation of the facility.

49—Standards and specifications

This clause provides that the Commission may publish standards or specifications to be applied in relation to the SA planning portal, the SA planning database and the online atlas or search facility.

The records under this proposed Division are not subject to the *State Records Act 1997*.

50—Certification and verification of information

This clause makes evidentiary provisions in respect of instruments published on the SA planning portal or produced on the SA planning database.

51—Online delivery of planning services

This clause provides that the regulations may provide for online delivery of planning services.

52—Protected information

This clause allows the Minister to prohibit, restrict or limit access to documents, instruments or other material on the SA planning portal on the grounds specified in subsection (1).

53—Freedom of information

This clause disapplies the *Freedom of Information Act 1991* in respect of documents received, created or held under this proposed Division.

54—Fees and charges

This clause allows the Chief Executive, with the approval of the Minister, to impose fees and charges with respect to gaining access to, or obtaining, information or material held under this proposed Division.

Part 5—Statutory instruments

Division 1—Principles

55—Principles

This clause sets out principles that must be taken into account with respect to the instruments created under this proposed Part, and articulates the relationship between such instruments and other instruments.

Division 2—Planning instruments

Subdivision 1—State planning policies

56—Preparation of state planning policies

This clause enables the Minister to prepare state planning policies, and sets out what those policies are to achieve and what they may contain.

57—Design quality policy

This clause requires the Minister to ensure that there is a state planning policy that specifies design policies and principles to be applied in the other instruments under this proposed Division. The policy is to be known as the design quality protocol.

58—Integrated planning policy

This clause requires the Minister to ensure that there is a state planning policy that specifies policies and principles to be applied with respect to integrated land use, transport and infrastructure planning. The policy is to be known as the integrated planning protocol.

59—Special legislative schemes

This clause requires the Minister to ensure that there is a state planning policy with respect to each special legislative scheme, and defines what those schemes are for the purposes of the section.

Subdivision 2—Regional plans

60—Regional plans

This clause requires the Minister to prepare a regional plan for each planning region. However, if a joint planning board has been constituted in relation to a particular area of the State, the regional plan for that area must be prepared by the joint planning board. The Minister must then prepare the regional plan for the balance of a planning zone that remains outside the area in relation to which the joint planning board has been constituted.

The clause also sets out procedural provisions relating to regional plans.

Subdivision 3—Planning and Design Code

61—Establishment of Code

This clause requires the Minister to prepare a Planning and Design Code.

62—Key provisions about content of Code

The code must set out a comprehensive set of policies, rules and classifications which may be selected and applied in the various parts of the State through the operation of the Planning and Design Code and the SA planning database for the purposes of planning and development within the State.

The clause sets out what the code must contain, as well as providing for variation of applicable rules.

63—Local heritage

This clause provides that the Planning and Design Code may designate a place as a place of local heritage value in the circumstances set out in subsection (1), and sets out procedural provisions relating to such designations.

64—Significant trees

This clause provides that the Planning and Design Code may declare a tree, or a strand of trees, to be a significant tree or trees in the circumstances set out in subsection (1), and sets out procedural provisions relating to such declarations.

Subdivision 4—Design standards

65—Design standards

This clause enables the Minister to prepare design standards relating to the public realm or infrastructure for the purposes of the measure, including a standard that supplements the Planning and Design Code in the manner set out in subsection (2).

Subdivision 5—Related and common provisions

66—Interpretation

This clause defines *designated instruments*.

67—Incorporation of material and application of instrument

This clause sets out technical matters related to designated instruments (as defined in section 66).

68—Status

This clause articulates the nature of designated instruments, including a requirement that judicial notice be taken of them.

69—Preparation and amendment

This clause sets out how designated instruments are to be prepared and amended, including who can initiate the preparation or amendment of one. The clause also sets out procedural matters related to their preparation, amendment and adoption, including a requirement that state planning policies be approved by the Governor.

70—Parliamentary scrutiny

This clause requires the designated instruments approved by the Governor to be referred to the ERD Committee of the Parliament, and sets out procedural provisions accordingly, including by making provision for the disallowance of a designated instrument or an amendment to a designated instrument.

71—Complying changes—Planning and Design Code

This clause allows the Minister (in his or her discretion) to initiate or agree to an amendment to the Planning and Design Code in the circumstances set out in subsection (1), and makes procedural provisions accordingly.

72—Minor or operational amendments

This clause allows the Minister to make certain minor and technical amendments to certain instruments in the manner and circumstances set out in the proposed section.

Subdivision 6—Other matters

73—Early commencement

This clause allows the Minister to declare that an amendment to the Planning and Design Code, a regional plan or a design standard come into operation on an interim basis earlier than would otherwise occur under the measure.

The Minister must, as soon as practicable after the publication of a notice, report to both Houses of Parliament in relation to the matter.

The clause also sets out when such amendments cease operation.

Division 3—Building related instruments

74—Building Code

This clause provides that the Building Code applies for the purposes of the measure, subject to the modifications contemplated by subsection (1).

75—Ministerial building standards

This clause empowers the Minister to publish Ministerial Building Standards for the purposes of the measure.

Part 6—Relevant authorities

Division 1—Entities constituting relevant authorities

76—Entities constituting relevant authorities

This clause sets out who or what are relevant authorities for the purposes of the measure.

Division 2—Assessment panels

77—Panels established by joint planning boards or councils

This clause sets out provisions that apply to an assessment panel appointed by a joint planning board or a council (to be known as a *designated authority*) under the proposed Part, setting out the number and makeup of membership of, and making procedural provisions applicable to, such designated authorities.

78—Panels established by Minister

This clause sets out provisions that apply to an assessment panel appointed by the Minister under the proposed Part, setting out the constitution and membership of, and making procedural provisions applicable to, such panels.

79—Appointment of additional members

This clause provides that an assessment panel may appoint 1 or 2 members to act as additional members for the purposes of dealing with a matter that it must assess as a relevant authority.

Division 3—Assessment managers

80—Assessment managers

This clause sets out provisions that apply to assessment managers under the proposed Part, requiring each assessment panel to have an assessment manager. The clause sets out the functions and appointment methods for assessment managers.

Division 4—Accredited professionals

81—Accreditation scheme

This clause requires the Minister (in association with the Commissioner for Consumer Affairs) to establish an accreditation scheme with respect to persons who are to act as accredited professionals for the purposes of this measure, and sets out factors that the scheme may address.

82—Notification of acting

The provisions creates an offence for an accredited person to fail to notify, or provide certain information or documents to, a prescribed body on making certain decisions.

83—Removal from acting

This clause creates an offence to remove (except with Ministerial consent) an accredited professional from engagement as a relevant authority in relation to a development if he or she has not completed the functions of a relevant authority in relation to the development.

84—Duties

This clause imposes a series of duties on accredited professionals (for example, to act in accordance with the public interest), and creates offences for breaching those duties.

85—Use of term 'building certifier'

This clause sets out when an accredited professional may be known as a building certifier.

Division 5—Determination of relevant authority

86—Relevant authority—panels

This clause sets out the circumstances in which an assessment panel will be the relevant authority in relation to a proposed development.

87—Relevant authority—Commission

This clause sets out the circumstances in which the Commission will be the relevant authority in relation to a proposed development.

88—Relevant authority—Minister

This clause sets out the circumstances in which the Minister will be the relevant authority in relation to a proposed development.

89—Relevant authority—assessment managers

This clause sets out the circumstances in which an assessment manager will be the relevant authority in relation to a proposed development.

90—Relevant authority—accredited professionals

This clause sets out the circumstances in which an accredited professional will be the relevant authority in relation to a proposed development.

91—Relevant authority—councils

This clause sets out the circumstances in which a council will be the relevant authority in relation to a proposed development.

92—Related provisions

This clause makes provision in relation to instances where a proposed development involving the performance of building work is referred by the relevant authority to a council or a building certifier for assessment against the Building Rules.

Division 6—Delegations

93—Delegations

This clause confers a standard delegation power on relevant authorities.

Part 7—Development assessment—general scheme

Division 1—Approvals

94—Development must be approved under this Act

This clause requires all development to be approved development, as defined in proposed section 79.

95—Matters against which development must be assessed

This clause sets out what is an approved development. To be an approved development, a development must be assessed by a relevant authority and be granted a consent in respect of each of the matters listed in subsection (1) as may be relevant to the development.

Division 2—Planning consent

Subdivision 1—Categories of development

96—Categories of development

This clause provides that development is, for the purposes of assessment in relation to planning consent, divided in 3 categories, namely:

(a) *accepted development*;

(b) *code assessed development*;

(c) *impact assessed development*.

Subdivision 2—Accepted development

97—Accepted development

This clause sets out what is accepted development, 1 of the 3 categories of development.

Subdivision 3—Code assessed development

98—Categorisation

This clause sets out what is code assessed development, 1 of the 3 categories of development.

99—Deemed-to-satisfy assessment

This clause sets out when proposed development is to be classified as deemed-to-satisfy development.

100—Performance assessed development

This clause sets out where development will be assessed on its merits against the Planning and Design Code (being a case where proposed development is to be assessed as code assessed development and the development cannot be assessed, or fully assessed, as deemed-to-satisfy development).

Subdivision 4—Impact assessed development

101—Categorisation

This clause sets out what is impact assessed development, 1 of the 3 categories of development.

102—Practice direction to provide guidance

This clause requires the Commission to publish a practice direction relating to the operation of this proposed Subdivision, and sets out relevant procedural requirements.

103—Restricted development

This clause provides that the Commission will determine whether or not planning consent will be granted in relation to restricted development and sets out procedures relating to the assessment of restricted development.

104—Impact assessment by Minister—procedural matters

This clause provides for the assessment by the Minister of impact assessed development (except restricted development), being development classified as impact assessed development by regulation or by declaration by the Minister. Procedures relating to the assessment of such development are provided for.

105—Level of detail

This clause provides for the Commission to determine the level of detail required in relation to an EIS for a proposed development.

106—EIS process

This clause provides for the preparation of an EIS for a proposed development.

107—Amendment of EIS

This clause provides for the amendment of an EIS and an Assessment Report for a proposed development in certain circumstances.

108—Decision by Minister

This clause makes provision in relation to the Minster's decision on a proposed development.

109—Costs

This clause provides for the Minister to recover reasonable costs incurred in relation to aspects of the assessment of a proposed development under this proposed Subdivision.

110—Testing and monitoring

The Minister may require the carrying out of, or cause to be carried out, tests and monitoring in relation to a proposed development and to comply with an audit program specified by the Minister.

Division 3—Building consent

111—Building consent

This clause makes provision in relation to the granting or refusal of building consent for a proposed development.

Division 4—Procedural matters and assessment facilitation

112—Application and provision of information

This clause sets out requirements in relation to an application for a proposed development and for the provision of certain information.

113—Outline consent

This clause provides for a relevant authority to grant a consent in the nature of an *outline consent* and sets out procedures in relation to such consents.

114—Design review

This clause provides for a person who is considering the undertaking of development specified under the Planning and Design Code to apply to a design panel for advice.

115—Referrals to other authorities or agencies

This clause provides for a referral system for applications in accordance with the regulations. The referral can have the status of a mandatory direction from the referral body, or a concurrence where both the relevant authority and the referral body must agree on a decision.

116—Preliminary advice and agreement

This clause provides for a person to seek advice about a proposed development from a referral body before lodging an application. If the referral body agrees that the development meets its requirements the application for the development will not be referred under the usual referral system provided for in the preceding clause.

117—Proposed development involving creation of fortifications

This clause provides that if a relevant authority has reason to believe that a proposed development may involve the creation of fortifications, the relevant authority must refer the application for consent to, or approval of, the proposed development to the Commissioner of Police. Procedures in relation to referrals under the proposed section are provided for.

118—Time within which decision must be made

This clause provides that a relevant authority should deal with an application as expeditiously as possible and within the time prescribed by the regulations.

If time limits are not observed, an applicant may give the relevant authority a *deemed consent notice* that states that planning consent should be granted. Procedures are provided for in relation to such notices, including the imposition of conditions on deemed planning consents and the quashing by the Court of such consents.

119—Determination of application

The outcome of an application will be notified under this clause. Any authorisation will remain operative for a period prescribed by the regulations.

Division 5—Conditions

120—Conditions

This clause provides for the imposition of conditions on a decision under the proposed Part and provides that they bind successive beneficiaries of the approval. Provision is also made in relation to conditions of an authorisation relating to the killing, destruction or removal of a regulated or significant tree.

Division 6—Variation of authorisation

121—Variation of authorisation

This clause provides for a person to seek the variation of a development authorisation previously given under this Act or a condition of an authorisation.

Part 8—Development assessment—essential infrastructure

Division 1—Development assessment—standard designs

122—Development assessment—standard designs

This clause provides that assessment against the Planning Rules and planning consent are not required for a proposed development for the purposes of essential infrastructure within an infrastructure reserve. An accredited professional may be the relevant authority for such development.

Division 2—Essential infrastructure—alternative assessment process

123—Essential infrastructure—alternative assessment process

This clause provides that the Commission may approve development for the provision of essential infrastructure of a prescribed class and sets out procedures in relation to such approvals.

Part 9—Development assessment—Crown development

124—Development assessment—Crown development

This clause provides that the Commission may approve development proposals by Crown agencies, except in certain circumstances (such as if the development is deemed-to-satisfy development, in which case the usual approval process applies). The clause sets out procedures in relation to the approval of Crown development.

Part 10—Development assessment and approval—related provisions

Division 1—General principles

125—Law governing proceedings under this Act

These provisions are similar to section 53 of the *Development Act 1993*.

126—Saving provisions

These provisions are similar to section 52 of the *Development Act 1993*.

Division 2—Buildings

127—Requirement to up-grade

This clause provides for a relevant authority to require, in certain circumstances, before granting a building consent, that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.

128—Urgent building work

This clause recognises the occasional need for emergency building work and provides that it is not an offence provided an approval is subsequently applied for.

Division 3—Trees

129—Urgent work in relation to trees

This clause provides for urgent work in relation to trees and is similar to the provision relating to urgent building work.

130—Interaction of controls on trees with other legislation

This clause makes provision in relation to the interaction of controls on trees with other legislation.

Division 4—Land division certificate

131—Land division certificate

This clause provides a mechanism for certification by the Commission that conditions imposed on a development approval for land division have been met, thus enabling the issue of new Certificates of Title and allows for procedures for the issue of certificates to be set out in the regulations.

Division 5—Access to land

132—Activities that affect stability of land or premises

This clause requires owners of land to be informed of activity that may affect the stability of neighbouring land.

133—Access to neighbouring land—general provision

This clause allows a person who gives notice to the owner of an adjoining allotment that the person requires access to part of a building or an allotment from the adjoining allotment for certain purposes related to a proposed development to apply to the council for the area for an authorisation to access to the adjoining allotment if the owner of that allotment does not respond to the notice or does not grant reasonable access.

Division 6—Uncompleted development

134—Action if development not completed

This clause allows a relevant authority to apply to the Court for orders (such as the removal of work) in relation to work that has not been substantially completed within the prescribed period.

135—Completion of work

This clause allows a designated authority to require that work be completed in certain circumstances.

Division 7—Cancellation of development authorisation

136—Cancellation of development authorisation

This clause provides for a general power for a relevant authority to cancel a development authorisation on the application of a beneficiary of the authorisation.

Division 8—Inspection policies

137—Inspection policies

This clause requires the Commission to publish a practice direction requiring councils to carry out inspections of development undertaken in their respective areas.

Part 11—Building activity and use—special provisions

Division 1—Preliminary

138—Interpretation

This clause allows the regulations to prescribe a council, person or body to be the *council* for the purposes of the proposed Part in relation to a development or building that is not within the area of a council.

Division 2—Notifications

139—Notification during building

This provision enables regulations to require notification to the council of the progress of building works. The council will be able to require the builder (or another person) to provide a written statement that the building work has been carried out in conformity with the proposed Act.

Division 3—Party walls and similar matters

140—Construction of party walls

This clause provides mechanisms setting out the rights of parties in relation to party walls and sets out procedures for agreements between parties relating to building party walls.

141—Rights of building owner

This clause provides rights to maintain party walls, subject to approvals under the Act for building works. Either party may keep a party wall in good repair. Notices and appeals relating to disputes over whether works are necessary are provided for.

142—Power of entry

This clause provides for mechanisms to give effect to the clauses relating to party walls by giving adjacent owners the right to enter land and sets out procedures relating to entry and forced entry.

143—Appropriation of expense

This clause provides a process for apportioning costs of party wall works and for resolution of disputes over the cost.

Division 4—Classification and occupation of buildings

144—Classification of buildings

This clause allows a council to classify buildings and thus determine which provisions of the Building Code apply. A building must not be used except in accordance with its classification.

145—Certificates of occupancy

This clause provides for the issue of certificates of occupancy after the completion of building work. A building must not be occupied unless a certificate of occupancy has been issued.

146—Temporary occupation

This clause provides for temporary occupation without a certificate. This could be used to approve the use of site offices on a building site, or the erection of a large marquee for short term entertainment purposes.

147—Building certifiers

This clause provides for a building certifier to exercise the powers of a council under the proposed Division in relation to Crown buildings or buildings for which the certifier has issued a building consent.

Division 5—Emergency orders

148—Emergency orders

This clause allows certain forms of 'emergency orders' to be issued by authorised officers who hold prescribed qualifications.

Division 6—Swimming pool and building safety

149—Designated safety requirements

This clause enables regulations to specify requirements that are to apply in relation to designated safety features for swimming pools are buildings. The regulations may require a designated owner of a swimming pool or building to ensure that designated safety features are installed and maintained in accordance with prescribed requirements. In addition, the regulations may require the owner of an existing swimming pool or building to ensure that designated safety features are installed, replaced or upgraded before, or on the occurrence of, a prescribed event or install, replace or upgrade designated safety features within a prescribed period.

The Commission may issue a practice direction that requires councils to carry out inspections of swimming pools and buildings to ascertain compliance with the proposed section.

150—Fire safety

This clause provides for councils or other authorities to ensure buildings maintain appropriate fire safety.

Division 7—Liability

151—Negation of joint and several liability in certain cases

This clause provides that responsibility for defective building work will be apportioned between the parties in default according to the extent to which their default contributes to any damage or loss.

152—Limitation on time when action may be taken

This clause restricts the time within which an action for damages for economic loss or rectification costs arising from defective building work to the period of 10 years.

Part 12—Mining—special provisions

153—Mining tenements to be referred in certain cases to Minister

This clause (along with the next clause and the definition of *development*) operate to exclude designated mining matters (as defined) from development approval. The clause provides a mechanism for the Minister to provide planning and environmental advice to the appropriate Authority (the Minister responsible for mining).

154—Related matters

This clause provides that only the proposed Part applies to operations under the Mining Acts and also makes provision in relation to private mines.

Part 13—Infrastructure frameworks

Division 1—Infrastructure delivery schemes

Subdivision 1—Establishment of scheme

155—Initiation of scheme

The Minister may initiate a proposal for an infrastructure delivery scheme.

156—Scheme coordinator

The Chief Executive must appoint a coordinator for the scheme.

157—Consideration of proposed scheme

The coordinator must give consideration and take certain action in relation to the proposed scheme.

158—Adoption of scheme

The Minister may adopt the arrangements for the proposed scheme.

159—Role of scheme coordinator in relation to delivery of scheme

This clause sets out the functions of the coordinator in relation to the infrastructure delivery scheme.

Subdivision 2—Funding arrangements

160—Funding arrangements

This clause sets out the matters that may be included in funding arrangements for an infrastructure delivery scheme.

161—Government guarantees

This clause provides for government guarantees in relation to the scheme.

162—Exemptions from taxes and levies

This clause provides for exemptions from taxes and levies in relation to the infrastructure delivery scheme.

Subdivision 3—Scheme contributions

163—Application of Subdivision

This clause provides for the application of the proposed Subdivision, including by specifying that contributions to the infrastructure delivery scheme will apply in relation to an area of the State designated as a contribution area by the relevant funding arrangement established under the preceding Subdivision.

The proposed Subdivision establishes a scheme similar to the scheme for the collection of funding for Natural Resources Management Boards under the *Natural Resources Management Act 2004*.

164—Contributions by constituent councils

This clause operates to require councils within a contribution area established for an infrastructure delivery scheme to make a contribution based on an amount specified by the Minister in accordance with the proposed Subdivision in respect of each financial year to which the Subdivision applies. The clause sets out how contributions of councils will be shared between them.

165—Payment of contributions by councils

This clause requires quarterly payment of contributions by councils in equal instalments.

166—Funds may be expended in subsequent years

This clause makes it clear that funds collected from councils may be spent in a financial year subsequent to the 1 in which the funds were paid.

167—Imposition of charge by councils

Similar to the scheme under the *Natural Resources Management Act 2004*, councils are required to impose a charge as a separate rate on the rates payable in respect of rateable land in the contribution area. This enables councils to reimburse themselves for amounts contributed to an infrastructure delivery scheme.

168—Costs of councils

The regulations are to provide for a scheme relating to the amounts that councils may be paid for their costs in complying with the requirements of the proposed Subdivision.

Subdivision 4—Statutory funds

169—Establishment of funds

The Chief Executive must establish a fund for the purposes of each infrastructure delivery scheme that provides for the imposition of a charge under the preceding Subdivision.

170—Audit of funds

The Auditor-General will audit each fund established for the purposes of an infrastructure delivery scheme.

Subdivision 5—Winding up

171—Winding up

The Minister may wind up an infrastructure delivery scheme.

Division 2—Infrastructure powers

172—Interpretation

This clause inserts definitions for the purposes of the proposed Division (including *designated entity*).

173—Infrastructure works

Infrastructure works are defined for the purposes of the proposed Division.

174—Authorised works

A designated entity may carry out any infrastructure works if authorised to so do by or under the proposed Act or any other Act. An authorisation could be (for example) included in arrangements relating to an infrastructure delivery scheme.

175—Entry onto land

A designated entity is authorised to enter land in connection with the exercise of its powers under the proposed Division.

176—Acquisition of land

This clause enables the compulsory acquisition of land for a purpose associated with infrastructure works.

Division 3—Related provisions

177—Incorporation of Chief Executive

The Chief Executive is constituted as a body corporate for the purposes of the proposed Part.

178—Step in powers

This clause authorises the Chief Executive to take over any work envisaged by an infrastructure delivery scheme established under the proposed Part (with the approval of the Minister and after consultation with the coordinator).

Part 14—Land management agreements

179—Land management agreements

This clause provides for a *designated authority* (being the Minister, another Minister or a council) to enter into an agreement relating to the development, management, preservation or conservation of land with the owner of the land. The clause also provides for registration of agreements.

180—Land management agreements—development applications

This clause provides for a designated authority to enter into an agreement with a person who is applying for a development authorisation that will, in the event that the relevant development is approved, bind the person, any other person who has the benefit of the development authorisation and (if relevant) the owner of the relevant land (so long as certain requirements set out in the clause are met).

Part 15—Funds and off-set schemes

Division 1—Planning and Development Fund

181—Continuance of the Fund

This clause continues the Planning and Development Fund in existence.

182—Application and management of Fund

This clause sets out how the Fund may be applied.

183—Accounts and audit

This clause provides for auditing of the accounts of the Fund.

Division 2—Off-set schemes

184—Off-setting contributions

A designated entity may establish a scheme under this section that is designed to support or facilitate certain developments and initiatives. A scheme could include an ability for a person who is proposing to undertake development (or who has the benefit of an approval under this Act) to make a contribution to a fund established as

part of the scheme, or to undertake work or to achieve some other goal or outcome (on an 'in kind' basis), or a combination of both.

An example of a contribution on an 'in kind' basis could be the provision of a child care centre within or near a development of a large building.

185—Open space contribution scheme

This clause effectively continues the open space contribution scheme established under the *Development Act 1993*.

186—Multi-unit buildings

This clause provides for the Commission to require an applicant for planning consent for a building designed to include 2 or more apartments, units or other residential place capable of being divided into 2 or more allotments to make a contribution in accordance with the clause. The rates of contribution under the clause must be consistent with the rates applying under the open space contribution scheme. In addition, if the building is subsequently divided into allotments, the liability under the open space contribution scheme is to be adjusted to reflect the fact that payments have made under this clause.

187—Urban trees funds

This clause replicates the existing provision (in the *Development Act 1993*) that enables urban trees funds to be established.

Part 16—Disputes, reviews and appeals

Division 1—General rights of review and appeal

188—Interpretation

This clause defines *prescribed matter* for the purposes of the Division.

189—Rights of review and appeal

This clause established appeal rights to the Court for applicants aggrieved by decisions under the proposed Act, and for other parties as stated. The clause also provides that specific provisions elsewhere in the Act can override the general appeal provisions in the clause.

The clause also provides for referrals of appeals involving building matters to a commissioner.

190—Application to assessment panel

This clause provides for a review of a prescribed matter by an assessment panel where an assessment manager acted as the relevant authority.

191—Applications to Court

This clause sets out requirements in relation to applications to the Court.

192—Powers of Court in determining any matter

This clause sets out the powers of the court in relation to proceedings under the proposed Act.

193—Special provision relating to building referees

This clause provides for a commissioner or commissioners to whom a building dispute is referred under the proposed Part to determine the matter as a building referee or as building referees and to have the powers of arbitrators under the *Commercial Arbitration Act 2011*.

Division 2—Initiation of proceedings to gain a commercial competitive advantage

194—Preliminary

Definitions and interpretative provisions are set out for the purposes of the proposed Division.

195—Declaration of interest

This clause requires the disclosure of a commercial competitive interest by persons who commence or are a party to proceedings under the proposed Act.

196—Right of action in certain circumstances

This clause provides for a proponent of a development to recover loss suffered by the proponent as a result of delays to the development on account of proceedings conducted or financed by a person with a commercial competitive interest in the proceedings.

Part 17—Authorised officers

197—Appointment of authorised officers

This clause provides for the appointment of authorised officers for the purposes of the proposed Act.

198—Powers of authorised officers to inspect and obtain information

This clause sets out the powers of authorised officers in relation to inspections and obtaining information.

Part 18—Enforcement

Division 1—Civil enforcement

199—Interpretation

This clause sets out matters which constitute a breach of the proposed Act for civil enforcement proceedings and defines a *designated authority* for the purposes of the proposed Division.

200—Enforcement notices

This clause enables a relevant authority to direct that a contravention of the Act be remedied.

201—Applications to Court

This clause provides for a general civil enforcement power to the Court. This clause allows any person to commence an action. However, the Court may require that a bond be paid by an applicant in appropriate cases. Exemplary damages may be awarded against a respondent in certain circumstances.

Division 2—General offences and provisions relating to offences

Subdivision 1—General offences

202—General offences

This clause set outs general provisions relating to offences.

203—Offences relating specifically to building work

This clause provides for offences relating specifically to building work.

204—False or misleading information

This clause makes it an offence to provide false or misleading information for the purposes of the proposed Act.

Subdivision 2—General provisions relating to offences

205—Criminal jurisdiction of Court

This clause provides that offences constituted by the proposed Act lie within the criminal jurisdiction of the Court.

206—Proceedings for offences

This clause sets out who may commence proceedings for an offence under the proposed Act and time limits for matters to be pursued as breaches of the Act.

207—Offences by bodies corporate—responsibility of officers

This clause sets out provisions relating to offences by bodies corporate, in particular about the responsibility of officers of bodies corporate.

208—Penalties for bodies corporate

The maximum penalty that may be imposed for an offence against this Act that is committed by a body corporate is 5 times the maximum penalty that the court could, but for this section, impose as a penalty for an offence.

209—Order to rectify breach

This clause allows the Court, in its criminal jurisdiction, to make orders to rectify breaches of the Act. It avoids the need for 1 matter to be heard by the Court in 2 jurisdictions.

210—Adverse publicity orders

The Court may make an *adverse publicity order* against a person found guilty of an offence against the Act.

211—Proceedings commenced by councils

This clause provides for a mechanism to ensure that a fine paid to a clerk of the court in prescribed proceedings for an offence commenced by a council is forwarded to the council by the clerk.

Division 3—Civil penalties

212—Civil penalties

This clause inserts a standard civil penalties regime so that the Commission may, as an alternative to criminal proceedings, recover, by negotiation or by application to the Court, an amount as a civil penalty in respect of a contravention of the Act.

Division 4—Other matters

213—Imputation of conduct or state of mind of officer, employee etc

This clause is a standard technical provision for the imputation of the conduct or state of mind of an officer, employee or agent of a body corporate acting within the scope of his or her actual, usual or ostensible authority to be imputed to the body corporate.

214—Statement of officer evidence against body corporate

This clause is a standard technical provision providing that a statement made by an officer of a body corporate is admissible as evidence against the body corporate.

215—Make good orders

This clause enables the Court to require that a contravention of the Act that involved the undertaking of a tree-damaging activity be remedied.

216—Recovery of economic benefit

This clause enables the Court to require that a person who has contravened the Act pay to the Commission an amount that represents the Court's estimate of economic benefit acquired by the person (in addition to any penalty imposed by the Court).

217—Enforceable voluntary undertakings

The Chief Executive may accept written enforceable voluntary undertakings.

Part 19—Regulation of advertisements

218—Advertisements

This clause provides that either the council or the Commission may order the removal of outdoor advertisements considered unsightly.

Part 20—Miscellaneous

219—Constitution of Environment, Resources and Development Court

This clause makes provision in relation to the constitution of the Environment, Resources and Development Court when exercising jurisdiction under the proposed Act.

220—Exemption from certain action

This clause effectively provides that public bodies and officials may only be held liable for their actions during the assessment and approval processes, and not thereafter.

221—Insurance requirements

This clause provides for mandatory insurance in appropriate cases.

222—Professional advice to be obtained in relation to certain matters

This clause provides for the use of professional advisers in certain circumstances. The Minister may give full or conditional recognition to professional advisers required under various provisions of the proposed Act.

223—Confidential information

This clause seeks to ensure that persons involved in administration of the proposed Act do not misuse information obtained by virtue of the proposed Act.

224—Accreditation of building products etc

This clause enables accreditation of building products.

225—Copyright issues

This clause makes provision in relation to copyright issues relating to the publication of documents etc. by the Minister, the Commission or the Chief Executive acting for the services of the State.

226—Charges on land

This clause sets out a scheme for securing a charge on land created under the Act.

227—Registering authorities to note transfer

This clause sets out a scheme for the registering or recording of a transfer of assets, rights or liabilities to the Minister or another body under the proposed Act.

228—Approvals by Minister or Treasurer

This clause makes provision in relation to approvals by the Minister or Treasurer under the proposed Act.

229—Compulsory acquisition of land

This clause enables the compulsory acquisition of land where necessary to implement the Planning and Design Code, a development authorisation of a prescribed class or to further the objects of the Act.

230—Regulations

This clause contains general regulation making powers to supplement the specific head powers provided throughout the proposed Act and in the Schedule that sets out specific regulation making powers.

Schedule 1—Disclosure of financial interests

This Schedule provides for the disclosure of financial interests by prescribed members of designated entities.

Schedule 2—Subsidiaries of joint planning boards

This Schedule provides for joint planning boards to establish subsidiaries (in a similar manner to the establishment of subsidiaries under the *Local Government Act 1999*) by applying to the Minister under the Schedule.

Schedule 3—Codes of conduct and professional standards

This Schedule provides for codes of conduct for various persons and bodies who perform functions under the Act. The regulations may require compliance with a code of conduct or regulate the conduct of accredited professionals.

Schedule 4—Performance targets and monitoring

This Schedule provides for the setting of performance targets and monitoring of the achievement of those targets by those who perform functions under the Act.

Schedule 5—Regulations

This Schedule provides for specific regulation making powers.

Schedule 6—Repeal and certain amendments

This Schedule provides for the repeal of the *Development Act 1993* and certain related amendments necessary for the purposes of the measure. Other related amendments and transitional provisions will be included in an 'Implementation' Bill.

Debate adjourned on motion of Mr Speirs.

Mr SPEIRS: Madam Deputy Speaker, I draw your attention to the state of the house.

A quorum having been formed:

STATUTES AMENDMENT AND REPEAL (BUDGET 2015) BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:09): It is always a pleasure to speak on budget measures bills. Unfortunately, I am not the lead speaker.

The DEPUTY SPEAKER: You are the lead speaker.

Ms CHAPMAN: Am I? That just gives me joy. It is a joy to my heart to hear that. This is a bill which purports to introduce a number of measures to facilitate the Treasurer's announcements on 18 June 2015 in his budget.

He gave a glorious speech and tabled a budget; I think now, of about nine volumes. I always love reading the budget each year. I hope to get through all the photographs. The new Treasurer has a new style, a little different from the now Minister for Health. He had pictures of his family. It was very different from the Premier, when he was treasurer. He just made a whole list of promises. Now we have photographs of everyone else and an even longer list of promises, but in that there were a

number of key elements that require legislative reform to facilitate the promises made by the Treasurer.

A number of those surround the Land Tax Act, which provides for a waiver or refund of land tax for residential land in certain cases, providing some reform in that area. Significantly, there are a number of amendments to the Stamp Duties Act to accommodate a number of initiatives, but those I want to make comment about today are the amendments to the Supreme Court Act 1935 and the proposed introduction of a graduated scheme of payments that need to be made to the probate office of the Supreme Court when one seeks to have a will probated or validated by order of that court.

It is a process which other laws require to be undertaken—that is, proof of the validity of the will of a person who is deceased to accommodate the then application of real estate. For example, the Registrar of the Lands Titles Office will not (and is in fact unable to) deal with land or transfer it pursuant to the terms of a will unless a probated copy of the will is presented for the purposes of supporting the transfer. That is a process that is required for the dealing of a number of assets. A number of banks require a probated will before they will even deal with investments in their institutions and the application of those toward the applicant beneficiary.

For most cases, when someone dies, the arrangements and the transfer of the assets of the deceased to the beneficiaries is a relatively simple process to the extent that the beneficiaries are known, there is no dispute between people who are not named as beneficiaries in the will, the executor who has been appointed is alive and of sound mind and able to undertake the duties to distribute the estate according to the terms of the will and is largely uncontroversial. Nevertheless, if you own real estate—and that is something that we encourage in this state—if you pass away with real estate, then it is necessary to have this will probated. It is an unavoidable application in many estates and it is also one where it is necessary to apply if for any reason there is no valid will or no will at all. Letters of administration need to be considered and the approval to distribute the deceased's estate require again approval through a court process.

I think it is fair to say when in the process of these dealings of the wills, an application is made, an affidavit is usually presented with the last known allegedly valid will of the deceased and/or the circumstances surrounding the need to have an administration order. They are presented and, if it is for the approval of the will with the supporting documentation, someone then in the probate office checks the will.

It has to be in writing, it has to be legible, it has to be signed by the deceased, it has to be witnessed by two parties, etc., and there are a whole lot of rules that apply to making the will valid on the face of it. Usually, in the absence of any objection—that is, some other person who might come forward to try to claim that the will was executed by the deceased when they were not of sound mind, under duress, or some other explanation, or they claim that they have missed out, they are unhappy with the terms of the will in some way and the share that has been apportioned to them might raise an objection—it is a pretty straightforward process.

It is fair to say, as someone who has practised law, that it is an irritating process if one gets back a request from the probate office to provide some extra scintilla of useless information that is required to support the application that has been omitted, or a comma is in the wrong spot. It is a bit like having Supreme Court orders that used to come back from pernickety masters or judges who would write in red all over them, usually changing one's grammar in the draft order that had been submitted. Irritating as that might be, nevertheless, it is a process which is important, but in the large majority of cases relatively straightforward. For the privilege of having that occur—which is necessary to be able to distribute the estate, for the widow to get the estate, for the children to be fed by withdrawing money from the account, etc.—this process has to occur.

What is the current process? The current process is that you pay a fee to the probate office for that exercise of assessment and scrutiny to take place. On the information that we have gleaned initially from other legal practitioners, which we raised during the estimates period, and the briefings that we had on this—and I thank those from the Treasurer's office who provided briefings and at the time there were a number of agencies represented—it was confirmed at that stage that about $6 million a year comes into the Supreme Court as revenue from applications for probating wills, and about $2 million a year is the estimated cost of operating that division in the Supreme Court.

So, it came as a bit of a surprise to find that the Treasurer decided that he was going to impose a new graduated scheme which would require, depending on the value of the estate, paying an ever-increasing fee according to the increasing value of the estate. Whilst it was claimed to be justified as being part of the graduated scheme, similar to the one that operates in New South Wales, it was pretty clear, initially to legal practitioners in South Australia, that just over the border in Victoria we were going to have this ludicrous situation where for an estate worth $1 million it would be $300 but thousands of dollars under the new application that would apply in South Australia.

When it was presented as a fee-for-service, user-pays, I thought that on the face of it they are already making $4 million a year out of it. We had a similar user-pays situation, I remember, over fishing licences and the department for primary industry. There was an expectation that for those who might be in business and require a licence or a permit for the purposes of their fishing the cost of providing the regulatory officers and personnel to provide, supervise and regulate the licensing and permit system needed to be paid for, and therefore that was a significant factor in the allocation of the cost; so it is a cost-recovery type system.

In the Supreme Court, it seems on the information we are provided with that they are already making a handsome profit out of the dead. Millions a year are being made out of the harvesting of probate fees for the purposes of providing this service, so it is a little concerning to find that they would move to a system where there would be even greater harvesting of money into the Treasury coffers as a result of this imposition.

The provision under this bill which provides for amendments to the Supreme Court Act, which of course, is tucked away neatly at the end of this bill, states:

> Fees charged in respect of proceedings, or any step in proceedings, in the court's probate jurisdiction may be based on the value of the deceased person's estate or any other basis, whether or not the fee exceeds the actual administrative cost incurred.

There it is in black and white. It does not matter what it costs, the fee can be charged based on a person's estate, or any other basis, and that is open chequebook, it seems to me, for provision of money to prop up the government's budget deficits in respect of the management of government services. It just seems to me quite ill disciplined for any government or treasurer to come in and expect that we would be in favour of this type of open chequebook arrangement, that we would be expected to sign up to something which is going to provide millions of dollars more per year which then can be applied as the Treasurer sees fit.

I expect the Treasurer will walk in here and say, 'Well, look, the cost of justice is very expensive. We have to provide for a number of services, not just probate services. Sometimes we have to provide expensive criminal proceedings or even civil cases that go for years, and we need to take up an enormous amount of court time, and the cost of all that is very expensive so this will help support that.'

That may be the case. I would probably feel a bit happier if that was the case if we had a full complement of judges, if we were able to get onto the superior court trials a bit more quickly than we are and further that we would even have a new courts building, but pretty clearly the application of these funds to go into the pool is designed to ensure that more money comes into the Courts Administration Authority and therefore there is less money that Mr Koutsantonis has to write out in his allocated budget for that important service.

It is a raping of the dead to pay for the ill discipline and incompetence in the financial management by the government, and I think it is shame on them that they should be expecting that we warmly embrace this as a piece of legislative reform to support it. In respect of the other matters, there is the removal of the River Murray levy. All I can say about that is, about damn time.

The drought—I do not know whether the government has been aware of this or not, or whether they realised it—has been over for years, and year after year the opposition has said that it is not acceptable that the River Murray levy continues to be harvested from people in South Australia, many of whom did not even get access to water that had come through the River Murray scheme. People on the West Coast who are not linked up to River Murray water and people on Kangaroo Island who did not get any River Murray water are all expected to pay the River Murray levy.

I can remember, early in the 13 years since I came here, having a very late night debate with the then treasurer, the Hon. Kevin Foley, about this River Murray levy. We were in the early period of what became a decade-long drought. South Australia was concerned about its capacity to provide metropolitan water services to Adelaideans and it was very concerned about the environmental impact, particularly on the River Murray system, as a result of there being a sustained drought.

Every South Australian was worried about it. The government's answer was to implement a River Murray levy and there was some justification for that at the time. I can remember saying, in questioning the then treasurer, 'Is this going to be applied to new initiatives to provide for the support of the River Murray over and above the government's obligation to contribute to the Murray-Darling Basin plan?'

I am not sure what it was actually called at that stage. Certainly, representative states—particularly New South Wales, Victoria and South Australia, which obviously all had an interest in the health of the River Murray and, indeed, the Darling system—provided funds into an authority which then managed the maintenance and repair of the lock system and generally administered the water as a major resource.

From there, of course, there were various other corporate entities, mostly, which acquired the right to be able to remove water and onsell it to food producers and a multitude of towns along the whole Murray system. His very clear position was that this would be for new initiatives. This would be because we were in a crisis and we needed to have provision for this River Murray levy, as it was called.

It was one of the first levies I had ever heard of. There have been plenty more since, I might say, in the time I have been here, but this one was going to be applicable across South Australia for anyone who owned a property. I think there was some argy-bargy over whether it should apply over other chattels, such as boats and the like, but in any event, it was to be universal across South Australia as distinct from particular regions, and it was to be applied for the purposes of dealing with the extreme drought circumstances which the state faced.

I am utterly disgusted that in recent years when I have read the annual budget report to parliament that, in fact, significant amounts of this money have been applied to programs which have been the ordinary business of government, particularly the Department of Environment and their obligation to provide for and maintain the infrastructure of the Murray-Darling system. I am utterly disgusted. It is typical of what this government does—introduce a new tax or levy and then apply it to whatever it likes.

Again, it is a shameful situation that the government has abused, I think, the privilege and generally the goodwill of the people of South Australia who were saying, 'Well, look, we don't like paying a levy, but we're in the grips of a drought and we're prepared to support to save this iconic reserve and water resource for South Australia and we will help pay,' only to find that the government used it as an excuse to walk away from its responsibility to provide its normal obligations and use this levy for that purpose. It is disgraceful, but it is just so indicative of what the government has done over a period of time. It is just one further example. I note that at least it is being removed.

There is another levy—the Hindmarsh Island Bridge levy. The whole Hindmarsh Island Bridge Act 1999 is to be repealed and the liability to make a payment in relation to that is also to be abolished, and that is what we are here for today.

I am told that the fund that was established for the purposes of receiving a levy payment has well and truly expired, I suspect because of two reasons: one, there has not been any recent movement on the sale of property in this area; and/or two, the government want to be able to promote the opportunity for development on Hindmarsh Island, and one way to relieve the pressure on it is to abandon this levy and hope that that might initiate landowners particularly or investors on Hindmarsh Island to proceed with developments and offer for sale and/or expand existing developments on the island.

I do not take any issue with that. What concerns me is that the government just come along and say, 'We don't need this levy anymore.' There does not appear to be any real reason for that other than what I have been told in the briefings which is that, really, there is not much chance of

getting anymore. I do not quite understand how that works, but it is apparently fully allocated to the extent of being able to recover under the current ownership arrangements and there does not appear to be any expectation that there will be any further significant revenue coming into it.

So, we just close the fund. I do not know what is going to happen with the proceeds of this fund. I suspect they disappear into the ether of the Treasurer's opportunity basket with whatever he wants to promote and, again, its purpose is extinguished.

I do not propose to make any comment on the other Stamp Duties Act amendments. I have had a briefing from Treasury officials in respect of those. They appear to be some minor amendments to tidy up provisions which we discussed, and that is acceptable to us. There are some anti-avoidance provisions which have also been adequately explained and are, we think, appropriate in the circumstances.

The government, I think, have overall failed to satisfy South Australians that their budget is a responsible plan for the 12 months of the financial year that we are currently in. They have utterly failed to provide any hope to South Australians of job opportunities or of infrastructure that will help support job opportunities, or indicate any fiscal discipline that the public are expecting of the government in relation to their expenditure. It should be responsible, it should be measured, it should be targeted and, in every sense, this budget fails.

I note that this is the last occasion that our house will have an opportunity to contribute to the debate in respect of the budget. It is singularly the most significant financial bill that goes through this house each year. We discuss it at appropriation level to facilitate the ongoing meeting of services and public servant salaries, etc. We have an opportunity to consider it in the budget in reply legislation of the budget bill and now, in this third tranche of legislative machinery for the purposes of implementing the budget, is the last opportunity we have to discuss this important measure for South Australians. I am bitterly disappointed and I know other South Australians are and certainly we would live in hope that there will be some improvement next year. I am not confident that will occur.

I will say that I am mindful of the very significant contribution that the Australian government has contributed in its budget to supplement very significantly the cost of infrastructure build, particularly the roads and the Darlington and Torrens to Torrens part of the South Road corridor infrastructure. I think that is very important and, frankly, if we did not have it there would be a gaping hole in the infrastructure for South Australia from the state government.

Really their token contribution is to provide for an O-Bahn service upgrade at the city end of that service. I think we are up to mark 4 of the proposal in that regard and it is a project which is to be presented for consideration to our Public Works Committee and then, of course, apparently to be implemented later this year. If that is the best they can do, that is a disgrace.

I find it unconscionable that the Chief Executive of the Department of Planning, Transport and Infrastructure, Mr Deegan, has come to this parliament and provided his evidence to a committee to suggest that we have an overallocation in respect of our electric trains to the extent of five with the fifth one coming online shortly. To find that we have a wastage of some $50 million of idle infrastructure sickens me because there are so many organisations and people in South Australia who are desperate for just a small lick of money to enable them to support, often combined with a voluntary service, other services for South Australians.

They need just a tiny little bit, yet we have $50 million worth of trains that are sitting somewhere between Seaford, Adelaide and Dry Creek. Of course, in question time today the minister did not have a clue even where they were, but they are somewhere out there, if not being graffitied, apparently in some sort of secure storage in one of those three depots.

I find the budget to be irresponsible, certainly inconsistent in its approach, without any objective of ensuring that we have employment for South Australians, and ultimately raping from the dead to make provision for the living because the government is so incompetent.

Mr DULUK (Davenport) (16:38): I also rise to speak to the Statutes Amendment and Repeal (Budget 2015) Bill and to understand where the 2015 budget is and what the government is trying to do over the next 12 months. I commend them in many areas such as looking at winding back some

of the stamp duty provisions and even the Save the River Murray levy which is very honourable, but we need to look at why we are where we are today and how things have come about.

After 13 years of Labor governance in this state presiding over the coffers here, there is not a lot to show for it. The situation that we find ourselves in today is as a result of poor decision-making in years gone by and a lack of financial management over the journey.

South Australia today has the worst unemployment in the country at 7.9 per cent, and we are heading slowly, on trend, to double-digit unemployment. It is completely unacceptable. Over 70,000 South Australians are unemployed and many more are underemployed. Only 3,982 jobs have been created since the Labor government promised 100,000 extra jobs in February 2010; and 4,400 mining jobs have been lost since last November when this government promised to create an extra 5,000 jobs in that industry.

Our ABS figures as recently as August show mining exploration collapsing in South Australia at a faster rate than anywhere else in the country. Mining and petroleum exploration in South Australia has fallen from $647.7 million in 2013-14 to $486.3 million in 2014-15. That is a loss of over $161 million in exploration investment in mining in South Australia. That is just more bad news for the state economy.

Northern Adelaide has an unemployment rate of around 9 per cent and this is before the closure of Holden due next year. In a recent estimates hearing, the Minister for Automotive Transformation revealed that only $14.9 million of the $22 million budgeted for Our Jobs Plan has been spent in the first two years of the program and, indeed, there are many other issues on the table in terms of unemployment. We have got the closure of the Alinta Leigh Creek facility and power station in Port Augusta and, of course, all the issues at the moment with Arrium in Whyalla.

As I said before, to understand the problem today we need to go back into the past. There are many other jurisdictions in Australia right now that are actually doing very well. I was fortunate enough to be in Melbourne on the June long weekend visiting my sister and family. My sister is one of the thousands of young South Australians who no longer call South Australia home because there are not employment opportunities for them. When visiting my sister in Melbourne (and I had not been to Melbourne for a while), I could not believe how much building and development was happening in that city. One thing that struck me was the number of young people around the CBD enjoying the night-life that Melbourne has to offer as well.

I hark back to South Australia and I think: what is going on? Something is happening right in Melbourne: something is not happening right in South Australia. Quite often from those opposite we hear the blame being put on the federal Coalition government for the malaise of the South Australian economy, but it is actually quite the opposite. It is not the federal government's fault that South Australia is in the predicament that it is because that theory does not apply to Tasmania and New South Wales whose economies are leading the nation and house prices are leading the nation. Queensland is on its recovery, the Northern Territory is doing very well off historical levels and Western Australia is doing what it always does.

So we look back here to South Australia and the only thing that is different is, obviously, we have had 13 years of Labor government in South Australia that have produced six of the last seven budgets in deficit. It is 13 years of a Labor record that has seen the state have $13.2 billion of debt which, of course, breaks the State Bank record. It is 13 years of Labor government that has seen $1.4 million a day wasted paying interest on Labor's debt. We have the highest unemployment in the nation. Even Tasmania is beating us. Quite often in South Australia we have used Tasmania, given that we are two of the smaller states, as our benchmark and, right now, we are failing in our own benchmarking and it is an absolute disgrace. We have had privatisation of assets in this state—ForestrySA, Motor Accident Commission and SA Lotteries.

During that time—and this is the irony—the Labor government has received $858 million in extra funding from the commonwealth by way of an increase in GST payments; and what do we have to show for an increase in GST payments? We have seen the knife being taken to our health system. We have seen the closure of the Repatriation General Hospital. This is a hospital that has served the community so well for so many years and I think, as of today, over 118,000 signatures have been collected by South Australians to protest the government's decision; yet, what I believe to be one of

the highest ever petitions signed by South Australians has been completely and utterly ignored by the government.

That goes to its hubris. It is not listening to the professionals and it is not listening to the people. Today in InDaily there was a very good article that quoted Emeritus Professor Ian Maddocks, who established the palliative care system at Daw Park hospice and is a long-time professor at Flinders University and Flinders hospital, as saying this decision to relocate the Daw Park hospice from the Repatriation site is an absolute shame and a disgrace and will not lead to better patient outcomes. I would rather take the advice of eminent South Australians, a former older—

Mr Speirs: Senior.

Mr DULUK: —Senior Australian of the Year, thank you member for Bright, than I would some bureaucrats in the department. So, we have seen a massive increase in funding from the federal government yet we have seen a Labor government in this state happy to take the knife to our public health system.

Labor, of course, has failed to deliver on numerous projects that it has promised: the Outer Harbor electrification line; the Gawler line; and, of course, the new Adelaide high school is rescoped every now and then. We are not actually quite sure when it will be built, but the promise at the last election to build the new school at the old Royal Adelaide Hospital site is not going to happen; and, of course, over the same 13-year period we have seen a $3.9 billion increase in unbudgeted expenditure.

So, we have had 13 years to paint the narrative here for the people of South Australia. We have had 13 years of poor economic management, and we are here in 2015 discussing the budgets as we did in the July session, and now the amendments and the repeal bill specifically today, and we wonder why we are where we are today.

We wonder why this government is making the decisions that it is making, and it is all basically because it had the inability to make strong, tough, needed decisions in previous years. I suppose a good lesson for all of us in this house is that you always need to be planning, you always need to be reforming; and whilst I do, as I said before, give some credit to the current Treasurer for starting to make some decisions in regard to removal of stamp duty on transactions, it is all a little bit too little too late.

Right now we are trying to put through this budget that is going to get the South Australian economy back on track. Well, it is quite the opposite. This will not be happening. In terms of some other indicators, we have a poor performance in the construction industry and, of course, this is reflected in reduced employment opportunities in this area. Housing start-ups are one of the lowest in the nation. On every economic indicator we are in decline.

Our exports have fallen by 8.1 per cent on an analysed basis. Our national export market share has dropped steadily from 7.5 per cent in 2002 to 4.2 per cent in June 2015. In that time the whole Australian economy has grown yet our export market has declined, and for South Australia to be strong we need to have a strong export market. We just cannot be selling lattes to each other. We cannot all be journalists, we cannot all be football players. We actually need to create some productive investment and productive industries, and exports are one of those industries which really bring foreign investment to the state to create jobs and to help many South Australians.

We have seen a 30 per cent (or $1.04 billion) decline in South Australian exports to China in the last 12 months. So, we have seen a reduction in SA exports to China, which is Australia's biggest export market, a very important market. What really concerns me the most at the moment is that we have a federal Labor opposition in conjunction with its union mates—especially the CFMEU, the most militant wing of the union movement which controls a lot of members in the ALP, especially in Victoria—putting at risk South Australian jobs, South Australian export markets but holding up the signing of the FTA in the Senate.

The best thing that the government in South Australia can do is to get on the phone to the federal opposition leader, Bill Shorten, and get on the phone to Chris Bowen, the federal opposition treasurer, and encourage them—demand, in fact—that the Labor Party in the federal parliament support the passing of the FTA legislation in order for South Australian exporters to have the best

possible opportunity to get their product into Chinese markets—Chinese markets that will help our wine industry, help our agricultural industry and help our farming sectors overall.

There has been a bit of talk about the FTA of late and a lot of fear in my mind about it. I think that, in its heart of hearts, the state government does know that the FTA will be good for South Australia. We all know, Business SA knows it and many of the leading economists know it, yet the state Labor Party will not convince their federal counterparts to help South Australian exporters. It is a real concern for me that we can see good policy, because we all support trade. As we are moving out of heavy manufacturing, as we are at the moment, and transitioning from it, it is most important that we do look at other industries, and exports is certainly one of those industries. China is our biggest market, but of course it is not just China, it is into South Korea, it is into Japan, it is work that we are doing with India now, and the like.

Getting back to this budget, we are seeing more increases in taxes and levies across this budget. It is a real shame, and the deputy leader was reflecting on this in her contribution. We are seeing the budget being propped up by taxes here, levies there and transactions being taxed. South Australians going about their ordinary business, people who are investing, people who are transacting, stamp duty, conveyancing charges, things that contribute to a productive economy are being slugged at every turn because that is all the government knows what to do.

We are losing young South Australians, we are losing taxpayers. We are seeing the closing of the Alinta site at Port Augusta, a plant and industry that employs hundreds of people in very well-paid (six-figure salary) jobs. They are leaving South Australia and with them they are taking what they would contribute in tax. We are seeing a shrinking of our tax base in South Australia, so the only way this government can increase the tax to pay for its $13.2 billion of debt and the servicing of that debt is to pretty much tax day-to-day transactions of South Australians. It is an absolute disgrace.

The budget that was passed in July was meant to be about jobs, jobs, jobs. For me, the mantra for all of us as legislators should be about jobs, jobs, jobs, but this budget is only predicting a 1 per cent employment growth in South Australia, the worst of all mainland states. We are not going to come back to being a leading growth state which has the opportunity to have well funded schools, universities and hospitals if we do not have strong economic growth, and that of course includes employment growth. One per cent just does not cut it.

We need to address the high cost of employment. We need to address the high cost of doing business in South Australia. Previous to entering parliament many would know that I worked in small business and business banking. I recall a conversation I had with one of my clients, who said, 'Sam, we're leaving South Australia to move our operation to Victoria.' I said, 'Why are you doing that?' He said, 'Well, South Australia has the worst WorkCover levies in the country and has the highest energy costs as well.'

Whilst we have the highest energy costs and whilst we have a terrible and inefficient WorkCover scheme that too often penalises very well meaning employers and, at the same time, does not do enough to get people returning to work, we are going to be shooting ourselves in the foot, so to speak. We have a very high cost of doing business in South Australia. We need to be a low cost business jurisdiction. We need to be looking at the opportunities we do have. We actually have a lot of opportunity in terms of commercial and industrial real estate that we could be using as a way of creating incentives for South Australian businesses.

As has been urged by many on this side, I urge the government to commit to reducing payroll tax and to reverse the $90 million ESL hike, which is really just another grab at South Australian households. What really gets me about the ESL is that if the majority of the ESL went to supporting the CFS and our volunteer fire service the average South Australian punter would say, 'Well, that seems reasonable. I'm happy to pay a levy that ensures that our volunteer firefighters are well equipped, have the latest equipment, have the latest tankers,' but it is actually quite the opposite.

The Sturt group, which is the brigade in my electorate, which is a wonderful brigade, up until January of this year was fundraising for new appliances. What a disgrace that they have to have 'Donate to the CFS' boxes at the local bakery, the post office and the bank. The community is very willing to donate but this should not be happening because we have an ESL. So, the irony is that we have an emergency services levy that does not support our emergency services.

Bringing forward the planned stamp duty relief to take effect this year would be a wonderful thing for the government to do and, by doing that, we would stop a delay in transactions which might be happening. On average, 20,000 to 30,000 of South Australia's best and brightest have been forced to move interstate each year, also creating long-term structural issues for our state. We have the highest utility prices in the nation, some of the highest in the world, and this government is obsessed with pet projects. They deliver little economic benefit and are delivered at enormous cost to the taxpayers. We only ever hear that the major projects are over time and over budget from this government. We should be focused on making South Australia internationally competitive. We should always aim, not only for Australian but international best practice when it comes to policy-making. I suppose these are just some of the issues for me.

In recent months we have seen the terrible decision in terms of our vocational education and training (VET) sector which has just had its confidence ripped out by this government. It lacks policy focus, so we are not even skilling up our best and brightest. In today's paper, Nigel McBride, head of Business SA, had a great article highlighting the difference between the federal Coalition government and the state government's approach to apprentices and how the state government is not doing enough for apprenticeships in South Australia and how in our VET and higher education programs we are creating uncertainty in the skills base.

One thing when it comes to VET is the hypocrisy of the government, and a good case in point is how VET has been destroyed in terms of teaching VET music in the southern suburbs at Noarlunga. Noarlunga TAFE's music program has been dismantled in the member for Kaurna's seat. If you want to do VET music, you have to go to the Salisbury TAFE campus. I love it, how this whole revamp of vocational education and training is actually not delivering a better result for the average South Australian. I have been contacted by many people who have been in the VET program at Noarlunga TAFE and who can no longer do that because they have to travel to Salisbury, some 50 kilometres away, to undertake that training. That is a real disgrace.

In conclusion, South Australians deserve better. The economic mismanagement of the taxpayers' money by this government is unreal and it has been happening for 13 years. That is the real problem. It is the legacy of those opposite—leaving the state in economic and financial ruin which has led to fire sales of our assets; increasing taxes, levies and duties. Pretty much anything the government can tax, it does tax. As to probate and speeding fines, this is the new way to fund South Australia. It is time for a new approach, it is time for a rethink, and it is time for South Australians to have a government committed to job creation, economic opportunities and putting this state back on track.

Mr WILLIAMS (MacKillop) (16:57): I could take the opportunity to say a huge number of things about the budget. There are some things specific in this bill that I do want to comment on. There are things that are not in this bill that I might take the opportunity to comment on. One of the things I want to do is get some answers from the Treasurer with regard to the Stamp Duties Act and an interpretation of the Stamp Duties Act which has been taken by the Commissioner of Stamps for many years, as I have discovered recently, which I think is absolutely contrary to the wishes of this parliament when the relevant clause was passed in 1990, and I will come to that shortly.

I am delighted that after all these years the government has decided to repeal the sections of the Water Industry Act which basically will see the ending of the Save the River Murray levy. I remember—and not a lot of people in this place can remember this far back—prior to the 2002 election, the then leader of the Labor Party decreed that there would be no new taxes if he was elected to government. As was the want of that particular gentleman, semantics played a big part of his modus operandi. A levy such as the Save the River Murray levy certainly was not a tax, and that was fair game. We have suffered for many years in this state with the Save the River Murray levy.

I am delighted that a couple of years ago, when the Water Industry Act was going through the parliament, I was the shadow minister and I was able to institute an amendment in that act, which was supported by some of our friends in the other place, which saw that those SA Water customers who were in no way connected to the River Murray were exempted from paying that levy. I successfully made the argument that, if you were not connected to the River Murray and thus your behaviour or changes in behaviour would have no impact on the River Murray, it seemed a bit rich to me that you would be subject to that Save the River Murray levy.

The government at the time argued that one of the designs of the levy was to make people think about their use of water (of course, this was as we were heading into what has become known as the millennium drought) and the problems that that was causing for the River Murray. I thought it was a poor argument at the time, and I am delighted that the government has all these years down the track realised the folly of its ways and is getting rid of it.

There are some other measures in the bill that I am happy with. I am particularly happy that we will eventually see the demise of stamp duty on certain transactions in South Australia, particularly those transactions which impact on a lot of my constituents. I talk principally of the farming community and the fishing community. Fishermen for years have been utilising temporary transfers, leases, of rock lobster pot licences to balance their take against their quota. So, some fishermen fail to catch their quota, some fishermen have had a really good season and are able to catch more than their quota, and they transfer licences to allow a balance at the end of the season so that they have a licence to take the number of fish that they have taken; and they are always riled that that balancing on their part is subject to a stamp duty fee.

Similarly, when transferring farming land one of the big costs to the farming community is stamp duty. The transfer of farming land is a fairly regular occurrence in country and rural South Australia. The value of the properties being transferred is substantial and as a consequence stamp duty impost is quite substantial.

Madam Deputy Speaker, I indicate now that on this stamp duty matter I would like to go into committee—I am not sure how the government is going to manage this—because I have some questions for the Treasurer, particularly when we get to the clause which will amend section 67 of the Stamp Duties Act. It is clause 31 of the bill before the house to amend section 67. Section 67 is the section of the act which allows for the 'computation of duty where instruments are interrelated'.

Historically, stamp duty was payable on the transfer of property—and we are talking in the first instance about real property, and again I am talking about farming land but not necessarily farming land; the same would apply for commercial property—where landholdings quite often are made up of more than one title. What apparently became a reasonably common practice was that the vendor, when selling such a series of titles, would often effect the transfer with a series of different instruments so they would have a separate contract for each of the titles. As a consequence, the rate at which the stamp duty was applied was lower, because the rate increases with the gross value of the property being transferred.

To overcome that, amendments were made—and these were to a different stamp duty act from the one that is in vogue at the moment. Amendments were made to give the Commissioner of Stamps the ability, under such circumstances where he was of the opinion that the separation of the instruments was done purely to minimise the stamp duty obligation, notwithstanding that to aggregate the separate instruments and thereby assess the stamp duty on the aggregated value—and it did have a significant impact.

I draw the house's attention to the House of Assembly *Hansard*, page 686, of 21 March 1990. I want to read from that a couple of paragraphs which give the history, so that the house understands what I am talking about. There was obviously a series of amendments to the Stamp Duties Act going through the parliament. This was the then member for what would now be the seat of Giles. I am not sure whether it was the seat of Giles in those days, but certainly it was held by Frank Blevins. It reads:

> Thirdly, it is proposed to amend the principal Act so that sales or gifts of property or interest in property that together form or arise from substantially one transaction or one series of transactions, are charged at the rate of duty that would apply if there were only one sale or gift.

He goes on to say:

> The current provision, section 66ab—

and that was in a previous act—

> applies only to land or interest in land being conveyed. Section 66ab was enacted in 1975 to counteract the tax avoidance practice of dividing land into smaller portions to avoid increased rates of stamp duty on higher value transactions. The same problem has again arisen but in relation to other property, such as businesses and units in a unit trust.

I read that out to the house today because that gives the historic context that I was describing a few minutes ago, that there had become a practice established where if there was more than one title the vendor was disaggregating the property into the separate titles and transacting them as separate instruments and thereby lowering the overall amount of duty payable. The particular amendment at the time was to capture other instruments in the transaction of other property than real property.

I now draw the house's attention to page 880 of the *Hansard* of 27 March 1990. Obviously, we had got into the third reading debate at that stage, and Mr Stephen Baker moved to insert a new amendment. I will read the amendment that he wished to insert. It reads:

> a conveyance that relates to separate parcels of property that is being conveyed by different persons to the same person (whether that person takes alone or with the same or different persons) where the commission is satisfied no arrangement or understanding exists between the persons conveying the property otherwise than to convey the property separately and independently from each other.

The opposition, on 27 March 1990, sought to clarify section 67 by putting in an amendment which very clearly stated that, if the property was being transacted from two separate persons, from two separate vendors, to the same person, it would not be captured under section 67. The Hon. Frank Blevins had indicated that the government opposed the amendment, and Mr Baker went on to say in his explanation:

> We are trying to avoid the situation where a person in good faith happens to buy adjoining properties which are under separate ownership.

He went on to make this comment:

> I would be astounded if the minister said to me that, in the situation of a person buying property which is vaguely related from two separate individuals, there should be an aggregation of property values for duty purposes.

He was saying to the minister, 'Is that what your intention is?' and the Hon. Frank Blevins' response to that was, amongst other things:

> Where a person enters into two quite separate contracts to buy land—it may be adjoining, but under separate ownership—they are not covered by proposed new section 67. There are clearly two separate contracts bought from two separate people, and this section would not apply. It does not apply now and it will not apply in the future. It has never been and will not be a problem—

and he goes on to say—

> assuming that Parliament passes this Bill substantially as it was introduced. So the answer is 'No,' the Deputy Leader need have no fears that genuine separate contracts will be touched by this Bill, because that is not the intention of the legislation.

I bring this matter to the attention of the house because a constituent of mine recently brought a matter to my attention where he bought a number of adjoining farming properties.

His conveyancer sought a ruling from the Commissioner of Stamps as to the amount of duty payable. The commissioner said, 'We will aggregate this land as per section 67, notwithstanding that the properties involved were from individual vendors.' I will repeat that: 'notwithstanding that the properties involved were from individual vendors'.

It seems that the Commissioner of Stamps today is acting completely contrary to what this parliament was told by the then minister when section 67 was enacted. When the minister of the day was asked this specific question, he gave an unambiguous answer to the house, yet the Commissioner of Stamps is now acting contrary to that advice.

I do not know how long this has been going on, but it has come to my attention that, in a document dated February 2008, a handout that is available on RevenueSA's website called Stamp Duty Document Guide, the bit pertaining to section 67 of the Stamp Duties Act clearly states that section 67 of the Stamp Duties Act can apply where two or more documents have different transferors and the same transferee—that is, different vendors selling separate parcels of land to the same purchaser. At least since 2008, that has been the interpretation of the Commissioner of Stamps, notwithstanding that when section 67 was enacted, the parliament was told that that sort of transaction where there are different vendors would not be captured under section 67.

I have gone back through the Stamp Duties Act and I have looked at the history of section 67. There have been no changes to section 67 since 1990 that would impact on the advice that the

house was given at that time. In fact, I think I am right in saying that the only amendments to section 67 have been deletion of certain subclauses to the section. I can find no evidence that the parliament has changed its position with regard to the interpretation of section 67, yet the Commissioner of Stamps is clearly interpreting it quite differently compared to what the parliament was told would be the case.

I want to question the minister as to what on earth is going on, and I want my constituent to get a refund from RevenueSA to the tune of some $12,000. Since my constituent bought these three adjoining properties, he has bought a further property which is also adjoining or very nearby. To be quite honest, I am unaware of how that transaction has been treated by the Commissioner of Stamps and whether that transaction has indeed been aggregated with the other three for the purposes of stamp duty, because it is quite likely, under the interpretation of the Commissioner of Stamps, that that is the case.

The reality is that the Commissioner of Stamps has been given, under the legislation, very broad powers, powers that I would describe as summary, powers to indeed impose penalties without reference to appeal. It is an area where the parliament has obviously said, historically, people try to diddle the system and the commissioner needs these powers, and the parliament has obviously agreed with that. With the evidence that I have uncovered on this particular matter, I seriously question why the Commissioner of Stamps has been given these wide powers and so much confidence by this parliament because I think he has overstretched his authority, substantially.

When we get to the end of the second reading, I would like the house to go into committee so I can get some answers from the minister to these particular questions. I will finalise my comments there, but this matter I regard as being very serious, and I will be wanting answers to these questions from the minister.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Progress reported; committee to sit again.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION (CHANGE OF NAME) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 1 July 2015.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (17:19): I rise to speak on the Births, Deaths and Marriages Registration (Change of Name) Amendment Bill 2015 introduced by the Attorney-General on 1 July 2015, and I indicate that I am the lead speaker on behalf of the opposition. I indicate that we will be supporting this bill and thank members of the Attorney's office who provided briefings on the same to Mr Wallbridge of my office.

The hatch, match and dispatch act always brings lots of attention because it is a very important method by which we record major public events of our citizens. Obviously their birth, marriage and death are significant events and we have a registration procedure for each.

For births we have a provision which requires in our law that a child must be registered when they are born in our jurisdiction and certain particulars must be provided. There is a time limit to do that and there are rules around who can register the birth and who can be recorded on the birth certificate and it is an important public record.

There are two things I would say about that. One is that it is important that we have this for the purpose of people using it to confirm their existence, apply for certain records and as evidentiary proof of a person's existence, and flowing from that usually some entitlements. It might be to apply for a passport, secure employment, prove age above a requisite age for the purposes of consuming

alcohol, or applying for a job in a licensed premises, etc. There are lots of reasons which have some sort of legal base for which we record births. The other thing, of course, is that it is a happy occasion and it is recorded for the benefit of family and the child who is registered.

Marriages, suffice to say, are also recorded. Once a lawful ceremony has been undertaken, they attract certain rights and responsibilities and so, again, we record marriages by a registration process. There are obligations on marriage celebrants, whether they are religious or civil, and on parties who are married to undertake a registration procedure. Access to pension entitlements and to tax relief are just a few of the reasons why it is important that this process is registered. Historically, when religious marriages were conducted, as distinct from a civil service or ceremony, the churches themselves would often act as the registration agency, and similarly in respect of births.

Divorces do not have a similar attachment. They do not have a registration obligation, but the dissolution document is registered in the court of the federal jurisdiction that grants it or of nullity, depending on whether that is another means by which there has been a dissolution of the marriage. That process is not registered, but the production of the marriage certificate and sometimes the birth certificate to show the original name of the party and/or the decree nisi or the decree absolute of the dissolution of the marriage is produced to demonstrate a progression in relation to various events, when one might apply to resume the use of a maiden name for a woman, for example, or to prove that they are eligible for remarriage at a later date. There are lots of reasons why this documentary record is very important.

Death, suffice to say, is also important to register. It provides for the documentary evidence of the cessation of access to entitlements and the obligation to pay once someone is deceased. Whilst there might be charges on the estate, it is important that we document the death.

There are different reasons why people change their name. Sometimes it is because of the act of marriage. Sometimes it is because the parentage changes in its disclosure, or one parent might remarry. Commonly, what occurred in historical times was that children would adopt the identity of their mother's husband, and, if that changed, they would adopt the surname of the new or latest husband, and so on. It is very important that we have rules that sit around the registration of these important events. They have significant legal consequence and it is important that we have this process.

We have a Registrar of Births, Deaths and Marriages who is responsible for the implementation of these obligations in respect of the registration process. Under South Australian law we currently have provision for any adult who is domiciled or ordinarily resident, or whose birth is registered in this state to change their name by applying to the Registrar of Births, Deaths and Marriages. It is a relatively simple application. For example, if my name is Vickie Ann Chapman and I want to change my name to Vickie Ann Smith, I lodge an application with a copy of the details of my birth and the requisite fee. I can use this process if I am over 18 years of age and I am domiciled in South Australia, or have been born here, or am ordinarily a resident.

The registrar can request evidence from me, as the applicant in those circumstances, to help establish my identity and age, and to also identify to their satisfaction that the change of name is not for an improper or fraudulent purpose. The most common occasion that I am aware of in circumstances where there has been an improper purpose is where the applicant is wishing to avoid creditors and they decide that the best way to do that is to have a change of name to attempt to conceal their whereabouts.

Another example of an improper change of name is for someone to move from one jurisdiction to another, have in their possession a child whom they are not supposed to have (one they may have taken out of another domestic household, for example), purporting to come to South Australia and remain incognito. There are also provisions that enable the registrar to reject an application for a change of name if the name that is proposed on the application is offensive or obscene, for obvious reasons.

If someone were to attempt to call themselves, and I do not think I need to illustrate it, a name which is clearly obscene or offensive, the registrar can refuse to accept the application and to register that. It has to be contrary to public interest and that is a matter for determination by the

registrar. The registrar, he or she, has certain obligations and powers to register or reject an application in certain circumstances.

From time to time, the state and commonwealth attorneys-general meet around Australia, obviously, to discuss issues of mutual interest about which there could be some national consideration, usually for reform; or, at least, to discuss what each of the jurisdictions is doing in response to a certain issue or pressure. Recently, in South Australia, the Attorney hosted a meeting with other state attorneys so, from time to time, just the state and territory attorneys get together and discuss issues of mutual interest. Unsurprisingly, there is some overlap in the jurisdictions and I am sure that these meetings are helpful to identify where one jurisdiction has been successful in either identifying a new issue or acting in a manner which has been effective.

This bill comes before us as a result of recommendations that have come from a state and commonwealth attorneys-general meeting and was first flagged after a convicted paedophile, Brian Jones, attempted to change his name in the state of Victoria to mock his victims. Obviously, that was seen as unconscionable if it was allowed to occur and the issue was considered and, as a consequence, this bill is presented for our consideration.

This bill makes two main changes to the act. One, under an amended section 24, provides that a person may only apply for a change of name in South Australia if the person is born in South Australia or, if born overseas, has been residing in South Australia for the previous 12 months. The registrar will have a discretion regarding a residency requirement. So there is a tightening up of the basis on which you can apply. You cannot just hop across the state and use another jurisdiction to successfully change your name.

The second part of this bill is to provide for a new division which requires certain categories of offenders to obtain the permission of their supervising officer, that is, the chief executive of the Department for Correctional Services, unless otherwise specified by the regulation, before they can apply for a change of name. As indicated, currently, the only category of offenders that require permission to change their name are offenders under the Child Sex Offenders Registration Act 2006, and this new division will make it an offence for a restricted person to apply to the registrar for a change of name without the approval of their supervising officer. A very robust penalty is to apply, that is, a $10,000 fine or up to two years' imprisonment. A restricted person for the purposes of this division is defined as a prisoner, a parolee, a person released on licence or a class of persons declared by the regulations to be a restricted person.

The Child Sex Offenders Registration Act 2006 sets out a separate set of registration obligations where someone has been convicted of a child sex offence within certain categories. As members would be aware, these offenders not only, of course, face their penalty as per the determination of sentence on a conviction but also they attract an obligation as a result of conviction in certain categories to remain in contact, usually with the police. They are to report at certain intervals. They are not allowed to change their name or address during the period they are under the registration. They have a number of obligations in respect of restrictions of where they can live, travel, be in association with minors, etc., so this really does extend the obligation to get permission before you change your name in other categories.

The government takes the view that this is necessary to deal with violent and sex criminals, other than child sex offenders, and setting a very significant penalty will mean they will face gaol if they attempt to change their name without the knowledge and/or consent of the corrections officer. The premise here is that it is necessary because it is difficult to monitor these people in the community if their new name is unknown.

I have to say that, whilst on the face of it no-one would want a situation where they are untraceable, in the course of discussing this matter there did not appear to be any data produced to suggest that this is already a major problem. We have to accept on face value that it has been raised at the attorneys-general meeting and therefore is something that is a problem, that is, that there are people changing their name and moving about the community without having had that permission.

The second thing is that I would have thought with today's registration processes it would not be difficult for a search to be done of a person's name and former names. Certainly, a search can be done to identify if someone is on the register, and usually that can throw up the former names

of that person. I would not have thought it is actually all that difficult but, in any event, from our side we accept that it is important to monitor offenders in this category, and this is one way of being able to do it and avoid the concealment of their whereabouts by changing their name.

As I said, the only case is the Victorian case, quite a notorious case which I have referred to, where the Victorian paedophile Brian Jones attempted to change his name to Shaun Paddick while on parole. It was considered an attempt to insult his victims, because it was a case where the victims had had their heads shaved when he abused them. That case alone justifies some action; whether it requires this type of approach we are yet to see, but we will support the government in the bill's passage.

Can I say one other thing in respect of the registration procedure? I recently had a member of my community contact me—in fact, neighbouring my electorate I should say. She wanted to bring to my attention how difficult it is for a normal civilian to change their name. Here is what happened to her, and she wrote to me to say this:

> When attempting to change my name at Service SA for my drivers license I have encountered many difficulties, apparently I can keep my maiden name or take my husband's name but I cannot add his name to my name without registering a change of name through births, deaths and marriages. I find this ludicrous, and fear it's a money-making scheme by the government. I have a passport with my new name, and registered with the ATO with no difficulties. Service SA staff were unable to provide rationale for their requirements.

She wrote on to tell me that she had to pay $300 to have the documentation process go through, but here is the absurdity: Service SA say that it is not enough for them to be presented with birth certificates and the like, her date of marriage, the marriage certificate and so on. They have even issued a passport, which I would have thought had the highest level of scrutiny with respect to the obligation.

To retain her name and her husband's name she needed to change her name via Births, Deaths and Marriages and pay the $300 to enable her to use the hyphenated name. It is utterly ridiculous, but that is the way it is. So, for civilians the law will not change with the passage of this bill, unfortunately for the constituent in the electorate neighbouring my electorate. It will not resolve her problem, but there will be a very high threshold to be achieved for people who commit sex and violent crimes and they are going to have to satisfy their captor as such (the head of Corrections) for doing so.

In concluding on this bill, there are quite legitimate reasons why a person who may have been convicted of a serious offence—say, for example, a female who has committed a serious violent offence against another person, she is serving time for it, the person who was the victim of the assault which she committed on this person remains a threat to her and she feels that she may be at risk if the victim in that case were to find that she had left gaol and that she might be tracked down and harm caused to her—it would be quite appropriate and legitimate for her to approach the head of Corrections, indicate the concerns she has, express her desire to change her name accordingly and to be able to seek some refuge under the cover of a new name.

So, there are certainly quite legitimate circumstances one can think of where it would be reasonable for corrections officers to grant the consent to change the name. If it turns out, in the implementation of any aspect of this act, that there has been an unreasonable denial of consent to progress or unreasonable conduct on behalf of the Registrar to act appropriately in the registration of a change of name, then that becomes an administrative appeal matter of which the applicant can seek some redress.

All of these things cost money so I urge the Attorney-General, in us supporting the passage of the bill, to ensure that it is responsibly administered and that we do not have to come back here to deal with what have been arbitrary and inappropriate decisions. I am not suggesting it will happen, but we are presenting a very significant penalty under an offence procedure under this bill and I would expect that the Attorney makes sure that it is exercised responsibly. With that, I commend the bill to the house and its passage.

Parliamentary Procedure

VISITORS

The DEPUTY SPEAKER: Before I call the next speaker, I would like to welcome into the gallery this evening members of the Renmark Wine Club. I am reliably informed you are the oldest continually operating club of your kind in Australia. We acknowledge your commitment to wine, and your presence here this afternoon. We hope you enjoy your time with us.

Bills

BIRTHS, DEATHS AND MARRIAGES REGISTRATION (CHANGE OF NAME) AMENDMENT BILL

Second Reading

Debate resumed.

Ms WORTLEY (Torrens) (17:45): I rise to make comment on this bill, which fulfils the government's 2014 election commitment by preventing the misuse of our state's naming system in two ways. First, the bill ensures that a person can change their name only if they were born in South Australia or if they have been residing in South Australia for at least a year. For people born in South Australia this has no impact and it does not impose any extra red tape. For people born interstate, this means that if they want to change their name they must do so in the state in which they were born. For people born overseas they must have resided in South Australia for 12 months. This helps to reduce the risk of fraud and the evasion of justice. Appropriate protections have been provided to ensure that a person can still change their name if they are getting married or if they or their children are seeking protection; for example, if they are victims of domestic violence.

Secondly, the bill ensures that prisoners, parolees and other serious offenders are restricted from changing their name without the permission of their supervising authority—and I stress, without the permission of their supervising authority. This ensures that these offenders cannot change their name for fraudulent or other improper purposes. Perhaps more importantly, it prevents offenders from changing their name to one that is designed to offend a victim. Previously the only class of offenders who were prevented from changing their name were child sex offenders.

There have been examples of offenders changing their name to make a direct reference to the crime they have committed or to the victim themselves. There are examples of this in Victoria and New South Wales. I am led to understand that these measures, and the subsequent cooperation between Correctional Services and Births, Deaths and Marriages to implement these measures, will ensure that the welfare of victims is placed first and foremost in this area of the law.

Bill read a second time.

Third Reading

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (17:48): I thank everyone for their contribution, and move:

That this bill be now read a third time.

Bill read a third time and passed.

At 17:49 the house adjourned until Wednesday 9 September 2015 at 11:00.

Answers to Questions

SA LOTTERIES

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (12 November 2014). (First Session)

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

The Department of Treasury and Finance advises the Lotteries Commission of South Australia made payments to the state government in accordance with the requirements of the State Lotteries Act.

In relation to the Auditor-General's Report, Part B, Volume 6, Note 33, page 2121, contributions from the Lotteries Commission of South Australia were $108,790 million in 2012-13, which is $35,742 million higher than contributions of $73,048 million in 2013-14.

This change in contributions is mainly due to:

- The 'one-off' special dividend paid in 2012-13 of $15 million which related to the payment of the balance of all equity reserves and surplus cash as a result of the transaction with Tatts;
- The cessation of dividend payments in 2013-14 following the commencement of Master Agent arrangements with Tatts; and
- Lower gambling tax in 2013-14 as a result of a reduction in net gambling revenue compared to the prior year.

CARE AND PROTECTION SERVICE AGREEMENTS

In reply to **Ms SANDERSON (Adelaide)** (12 November 2014). (First Session)

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector): I have been advised:

There are no outstanding agreements for contracts that commenced on 1 July 2014. The Service Accountability Unit conducted a comprehensive review of all service agreements expiring 30 June 2014.

All 2014-15 agreements that commenced on 1 July 2014 with non-government organisations have been executed.

WOMEN'S AND CHILDREN'S HOSPITAL

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (11 February 2015).

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

As part of Transforming Health, the government is investigating the potential timing of the relocation of the Women's and Children's Hospital to the Health and Biomedical Precinct, adjacent to the new Royal Adelaide Hospital.

Clinical facility works, sustainment and compliance works necessary to facilitate the continuing safe and efficient service delivery will be considered until the proposed Women's and Children's Hospital relocation is delivered.

HEALTH REVIEW

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (24 March 2015).

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

Southern Adelaide Local Health Network has a total of 891 base beds, including 13 base beds in the Private Hospital ward at Noarlunga Hospital and 52 flex beds made up as follows:

Hospital	Beds	Flex Beds
Flinders Medical Centre	582 Winter 570 Summer	23
Repatriation General Hospital	234	16
Noarlunga Hospital	62 Public Hospital beds 13 Private Hospital beds	4 Public Hospital beds 9 Private Hospital beds

HOUSING SA TENANCIES

In reply to **Mr KNOLL (Schubert)** (25 March 2015).

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers): I have been advised:

Expenditure for professional cleaning includes house cleaning and rubbish removal at vacant properties (including for house sales) and tenanted properties.

Actual maintenance expenditure for professional cleaning for the 2013-14 financial year was $4 million.

Between 1 July 2014 and 28 February 2015, actual maintenance expenditure for professional cleaning was $3.1 million.

CHILD PROTECTION

In reply to **Ms CHAPMAN (Bragg—Deputy Leader of the Opposition)** (6 May 2015).

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector): I have been advised:

In 2013-14 Families SA submitted 181 special conditions to court orders requiring Drug Assessment.

ROYAL ADELAIDE HOSPITAL

In reply to **Dr McFETRIDGE (Morphett)** (6 May 2015).

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

Additional telecommunications equipment will be installed in the new Royal Adelaide Hospital prior to the hospital opening, to extend the range of services within the building.

SA PATHOLOGY

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (12 May 2015).

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

It is a confidential report so it can't be released.

The report was prepared by Quark and Associates. The independent investigation was commissioned by the Chief Executive, SA Health, and the final report was provided to the Chief Executive, SA Health, and to me, in January, 2015. The report has also been seen by SA Pathology management.

RECYCLED WATER

In reply to **Mr TARZIA (Hartley)** (13 May 2015).

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector):

The Minister for Water and the River Murray has received this advice:

The Lochiel Park Stormwater Reuse scheme has been developed by Renewal SA (previously known as Land Management Corporation) as part of its development of the Lochiel Park Green Village in Campbelltown.

Commissioning of constructed infrastructure has now been completed by Renewal SA.

Renewal SA wrote to all residents in July 2014 to advise of progress towards the connection of Lochiel Park homes to the recycled water system. At that time, Renewal SA confirmed that there would be a 12 month 'implementation period' or testing period in order to monitor the quality and quantity of water in the system.

Due to dry conditions, there have insufficient rainfall events during the implementation period for SA Water to complete testing and allow the system to be fully commissioned.

Renewal SA is in the process of issuing a follow up letter on behalf of all three stakeholders, updating residents on the progress to date of the implementation period, and also advising that the implementation period will need to be extended until at least 31 October 2015 to allow further rainfall events to be captured and assessed. It is expected that SA Water will then connect the recycled water scheme to houses in Lochiel Park if it meets all the requirements for a sustained, ongoing supply to residents.

COUNTRY HEALTH SA

In reply to **Mr PENGILLY (Finniss)** (18 June 2015).

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

1. In country hospitals which do not have salaried medical officers, it is a requirement that patients who are not eligible for services under Medicare be admitted to hospital as a non-Medicare private patient. The hospital and medical charges are then raised separately by the health service and the respective private practitioner.

This arrangement has been in place for many years and generally relates to services provided to patients from overseas who have private travel insurance to cover such expenses.

Under the latest General Practitioner Agreement, Country Health SA Local Health Network negotiated an agreement whereby the fees for services provided by a local doctor to this group of patients would be collected on their behalf and subject to a collection fee only on amounts collected.

The doctors on Kangaroo Island have the same arrangement available to all other doctors across country South Australia providing similar services and are able to charge the patient for the services they provide.

When signing the 2010 version of the standard General Practitioner Agreement, local doctors signed a statement that the Agreement being entered into was the complete offer.'

1. Country Health SA Local Health Network have no record of a general practitioner with credentials in obstetrics having made such an offer.

An expression of interest was made by a general practitioner who indicated he may be prepared to undertake training in obstetrics, however, he was seeking a commitment on the viability of obstetric services in another 10 years.

Country Health SA Local Health Network is continuing discussions with this individual and the sole resident general practitioner with credentials in obstetrics and has been honest in that it cannot guarantee workforce and service certainty due to changing standards this far into the future.

The provision of a sustainable obstetric service on Kangaroo Island is important to Country Health SA Local Health Network and it will continue to work with the local private practice and rural workforce recruitment agency.

Estimates Replies

SAFEWORK SA

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (17 July 2014). (Estimates Committee A)

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):

The income budget of $24,171 million for 2014-15, contains the following sources:

1. Regulatory fees and charges: $12,421 million

They include:

- Prescribed amount that is a proportion of premiums collected on behalf of SafeWork SA by WorkCoverSA under the *Work Health and Safety Act 1012 (SA)*: $7,660 million;
- Regulatory fees that include licences for high risk plant, high risk work, asbestos removal and major hazard facilities, under the *Work Health and Safety Act 2012 (SA)*: $3,114 million;
- Regulatory fees that include licences for the storage, manufacture and transport of hazardous chemicals and explosives under the *Dangerous Substances Act 1979* and *Explosives Act 1936:* $1,647 million;

2. WorkCoverSA funding for delivery of work injury prevention: $11,651 million

This is an annual transfer of funds under the *Work Health and Safety Act 2012 (SA)* for the delivery of work injury prevention functions transferred from WorkCoverSA to SafeWork SA since 1 January 2006.

3. General Revenue $0,099 million

TOTAL $24,171 million

SAFEWORK SA

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (17 July 2014). (Estimates Committee A)

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): I have been provided the following advice:

A breakdown of SafeWork SA's current 2014-15 full time equivalent (FTE) budget of 226.6 FTEs is as follows:

- Work Health and Safety Inspectors 89 FTE
- Industrial Relations Inspectors 4 FTE
- Administration and Licensing staff 39 FTE

- Technical specialists, Policy Officers and Managers 80.6 FTE
- Executives 4 FTE
- Corporate Allocation 10 FTE

The reduction of 44 FTEs since the 2013-2014 budget is mainly due to 34 staff accepting TVSPs, and a further 10 staff leaving due to the implementation of a new organisational structure to streamline business processes and deliver budget savings. The staff who left included 32 FTEs of industrial relations personnel due to the cessation of the federal industrial relations contract. Other staff who left were from the administrative, technical and policy streams.

SAFEWORK SA RIGHT OF ENTRY NOTIFICATIONS

In reply to **the Hon. I.F. EVANS (Davenport)** (17 July 2014). (Estimates Committee A)

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): I have been provided the following advice:

Out of the 151 right of entry notifications in question, 114 of those notifications were related to the construction industry. I understand that from those 114 notifications, 65 of them were relating to the new Royal Adelaide Hospital construction site.

SAFEWORK SA GRANTS

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (17 July 2014). (Estimates Committee A)

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): I have been provided the following advice:

The total amount of funding set aside for grants for 2014-15 is $1,917.000.

SA Unions receives a grant contract contribution from SafeWork SA of $80,000 per year. The grant is in support of the Young Workers Legal Service. The contract expire in October 2017.

RENEWAL SA

In reply to **Ms CHAPMAN (Bragg—Deputy Leader of the Opposition)** (17 July 2014). (Estimates Committee A)

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): I have been provided the following advice:

Yes.

In 2013-14 Renewal SA purchased 16 allotments with a total purchase price of $21,343,500 (GST exclusive).

OPERATING EXPENSES

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (22 July 2014). (Estimates Committee A)

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Defence Industries, Minister for Veterans' Affairs): I have been advised:

Table 2.8 on page 31 of *Budget Paper 3: Budget Statement* presents operating expenses for select agencies (including Defence SA) on a Government Financial Statistics basis, whereas 2014-15 Agency Statements are presented on a basis consistent with Australian Accounting Standards.

Pursuant to the GFS reporting framework, the $35 million estimated result for Defence SA expenses in 2013-14 includes an estimated cash surplus of $14 million, to be returned to the Consolidated Account.

GRANTS AND SUBSIDIES

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (22 July 2014). (Estimates Committee A)

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Defence Industries, Minister for Veterans' Affairs): I have been advised:

Defence SA grant payments for 2013-14 are provided in the table below:

Name of Grant Recipient	Amount of Grant	Purpose of Grant
Defence Teaming Centre	$0.485m	State support to peak defence industry association
ASC AWD Shipbuilder Pty Ltd	$0.570m	State commitments to Air Warfare Destroyer project – AWD Systems Centre accommodation assistance.

Name of Grant Recipient	Amount of Grant	Purpose of Grant
ASC AWD Shipbuilder Pty Ltd	$0.080m	State commitments to Air Warfare Destroyer project – Maritime Skills Centre staff costs
Total	$1.135m	

Budgeted Defence SA grant payments in 2014-15 are provided in the table below:

Name of Grant Recipient	Amount of Grant	Purpose of Grant
Defence Teaming Centre	$0.500m	State support to peak defence industry association
ASC AWD Shipbuilder Pty Ltd	$0.606m	State commitments to Air Warfare Destroyer project – AWD Systems Centre accommodation assistance.
ASC AWD Shipbuilder Pty Ltd	$0.126m	State commitments to Air Warfare Destroyer project – Maritime Skills Centre staff costs
Defence Materiel Organisation	$0.065m	Sponsorship of Defence + Industry 2014 Conference
Total	$1.297m	

RISTEC

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (17 July 2014). (Estimates Committee B)

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

Revenue SA advises, as at 23 February 2015, 37.2 FTEs are dedicated to the RISTEC Project. This consists of 33 full time staff and 6 part time staff who are the equivalent of 4.2 FTEs. The project is overseen by the Commissioner of State Taxation at the direction of the RISTEC Project Board.