

HOUSE OF ASSEMBLY**Thursday, 3 December 2015**

The **SPEAKER (Hon. M.J. Atkinson)** took the chair at 10:32 and read prayers.

*Bills***STATUTES AMENDMENT (RIGHTS OF FOSTER PARENTS AND GUARDIANS) BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 10 September 2015.)

Ms COOK (Fisher) (10:33): I am really proud to stand here in government and support this very important bill, and I acknowledge in the gallery Monica Perrett and the fantastic work she has done on behalf of foster parents.

Being a foster parent myself, I know how incredibly important it can be to be recognised as part of the life and the journey of a foster-child who, in some cases, for a very short period of time has been in your care, but also on many occasions for a very long period, and the recognition of their position within the life of that child from beginning to, unfortunately, what might be a very tragic end is so important for the child, the parent and for the community to understand. I am so proud to support the recognition of this within the child's life, and also its importance in the discussion around OPG (other parent guardianship), so thank you very much. I commend the bill.

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (10:35): I too am delighted to support this bill, and I would like to pay tribute to the honourable member's work on this bill. He has been extremely persistent, which is one of the qualities we like to see, both in young people and in not so young people, and has also been extremely patient as we have worked through some of the quite complex issues that have been associated with this bill. Essentially, this recognises the extraordinarily important role of kinship and foster carers and then, specifically, also the other person guardianship carers.

We have far too many children who need to be taken away from their birth families. It is a cause of great pain to me and, I imagine, to anyone who contemplates the numbers, that we have a society where that is necessary. I have just finished signing 3,000 Christmas cards to the nearly 3,000 children who are under my guardianship at present; it is a very small thing to do for them. The importance of providing an alternative home for those children who cannot be with their birth parents cannot be overestimated.

It is highly desirable that children who cannot be with their birth parents are able to grow up in a family setting and, ideally, with people who they come to feel the parental relationship with. Other person guardianship is the furthest form of that where I am able to, via the good graces of the Youth Court, transfer my guardianship responsibilities as the minister to the other person so that the children living there are able to feel the security of being in a new home in a new family.

Very sadly, this bill, of course, focuses on the rare but nonetheless too frequent occasions when a child dies in care and how we manage that extraordinarily difficult time for everybody involved, particularly how, in funeral arrangements, we respect both the birth parents who have a relationship to the child and the kinship or foster carers who have taken that place and done that extraordinary work.

To have the other person guardianship recognised on the death certificate I think is extremely important, and it is part of what I hope is a growing message of how much I and the government value the role that foster carers, kinship carers and, of course, other person guardianship can play in making our child protection system so much stronger. I commend the bill to the house.

Mr PEDERICK (Hammond) (10:37): It is with much pride that I rise today to speak to the Statutes Amendment (Rights of Foster Parents and Guardians) Bill 2015. First, I would like to thank the Labor Party for coming on side because I knew that without the Labor Party coming on side we would not get this important legislation through this house.

There are a lot of people I need to thank, namely, the former minister for education and the current Minister for Education (the member for Port Adelaide). I need to thank the Attorney-General for his support; and, particularly, staffers Josh Vines, from the Minister for Education's office, and Alexandra Keen, from the Attorney-General's office. Their contact with me was vital through the negotiations in where to go with amendments to the bill. I think about nine different rounds of amendments were passed around between us because, at the end of the day—and the minister has already mentioned this—I had to be persistent.

Mr Gardner: Not to get the Liberal Party on side.

Mr PEDERICK: Yes, I was not very persistent to get the Liberal Party on side: they came on side as soon as I presented my briefing paper, which was great. I do understand the many complexities that were outlined to me in getting a foster-parent's name on a death certificate, and we went through the legal processes of the other person guardianship process. That also means it is a two-way street: foster-parents themselves make that lifetime commitment to the child. It is a stage between foster care and adoption—because there is still a link to birth parents during the period of other person guardianship—and I think it is a very important stage.

Through the negotiations, we were trying to work out a way for a foster-parent to get their name on the death certificate if a child died in their care. I think we came to a very successful result: the other person guardian can get their name on the death certificate. If the registrar is directed to do so—in accordance with the amendments that we will deal with en bloc in a minute—the registrar must include the name or names on the death certificate. It is not to take away from the birth parents, but it is an addition—and a welcome addition, I think—so that the care that the many foster-parents, guardianship carers and kinship carers give in this state will be acknowledged in the act when this bill passes through both houses.

I would like to acknowledge the members for Schubert, Adelaide, Mitchell, Bragg and Hartley who have spoken on this previously. I acknowledge the member for Fisher and the member for Port Adelaide (Minister for Education) for speaking today. I acknowledge the work that Families SA did in the background assisting us all in getting this through and I also acknowledge parliamentary counsel. I almost had them on speed dial too, dealing with the amendments, and they did a great job. I certainly appreciate the support of my colleagues in this vital legislation and I thank my staff as well.

Sadly, sometimes these things come about because of great tragedy and I would just like to thank Monica Perrett and Nathan and their family for their persistence in getting this legislation to where we are today—moving this bill through this place. The loss of Finn was very sad. It was three months after his untimely death that we introduced this legislation in August last year, so it has been quite a time. It is 19 months since young Finn died, but let's hope that we have made the world a better place for foster-parents and foster-children into the future. There is a lot of antagonism in this house: I would just like to think that we have found a little love in the world today.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr PEDERICK: I move:

Amendment No 1 [Pederick-1]—

Page 2, lines 4 and 5—Delete '*and Guardians*' and substitute:

, *Guardians and Kinship carers*

Amendment carried; clause as amended passed.

Clauses 2 and 3 passed.

Clause 4.

Mr PEDERICK: I move my amendments en bloc:

Amendment No 2 [Pederick-1]—

Page 3, lines 5 and 6 [clause 4, heading to inserted Division 3A]—Delete 'foster parents and legal' and substitute:

court appointed

Amendment No 3 [Pederick-1]—

Page 3, line 7 [clause 4, heading to inserted section 38A]— Delete 'foster parents and legal' and substitute:

court appointed

Amendment No 4 [Pederick-1]—

Page 3, lines 8 to 11 [clause 4, inserted section 38A(1)]—Delete subsection (1) and substitute:

(1) A person may give notice to the Registrar that a person named in the notice was a court appointed guardian (other than a parent) of a person who has died at the time of the death.

Amendment No 5 [Pederick-1]—

Page 3, after line 15 [clause 4 inserted section 38A(2)]—After paragraph (b) insert:

(ba) include a copy of the order of the Youth Court of South Australia placing the child under the guardianship of the person named in the notice; and

Amendment No 6 [Pederick-1]—

Page 3, lines 24 and 25 [clause 4, inserted section 38A(4)]—Delete the definition of *foster parent* and substitute:

court appointed guardian means a person (other than a Minister) to whom guardianship of another person is given by the Youth Court of South Australia under section 38(1)(d) of the *Children's Protection Act 1993*.

Amendments carried; clause as amended passed.

Clause 5.

Mr PEDERICK: I move:

Amendment No 7 [Pederick-1]—

Page 3, lines 28 to 36 [clause 5, inserted subsections (3) and (4)]—

Delete subsections (3) and (4) and substitute:

(3) If the Registrar has received a notice under section 38A, the Registrar must include the name of the guardian of the deceased named in the notice in the entry of the Register relating to the death of the deceased.

Amendment carried; clause as amended passed.

Clause 6.

Mr PEDERICK: I move:

Amendment No 8 [Pederick-1]—

Page 4, lines 3 to 13—Delete the clause and substitute:

6—Insertion of section 85

After section 84 insert:

85—Agreement for funeral arrangements of child under care

(1) If—

(a) a child who is under the guardianship of a court appointed guardian or the Minister, or of whom the Minister has custody, dies while in the care of an approved carer; and

- (b) the approved carer and the person who is responsible for arranging the deceased's funeral and for the disposal of the deceased's remains disagree about those arrangements,

the Chief Executive Officer may, at the request of 1 or both of the parties, endeavour to assist the parties to reach an agreement about those arrangements.

- (2) In this section—

approved carer means—

- (a) an approved foster parent; or
 (b) a court appointed guardian; or
 (c) a person who, under a scheme established by the Department, maintains and cares for a child in the person's home for the purposes of this Act or the *Children's Protection Act 1993*;

court appointed guardian means a person (other than a Minister) to whom guardianship of another person is given by the Youth Court of South Australia under section 38(1)(d) of the *Children's Protection Act 1993*.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendment.

Third Reading

Mr PEDERICK (Hammond) (10:46): I move:

That this bill be now read a third time.

Once again, I would like to thank everyone who has been involved with this. It has taken some dogged persistence, but it goes to show that from opposition, when you have good legislation and you keep putting your case, you can get it through. My thanks go to everyone on my side of the house and to the Labor Party as a whole because, as I said earlier, it had to go past the Labor Party to get this up.

I sincerely thank everyone who has been involved, but I did not mention in my previous commentary what can happen in the funeral arrangements of a child who may die under foster care, kinship care or under guardianship. If there is a dispute between the carers and the birth parents, the chief executive of the department may get involved to mediate in that very sad time of a child's passing in the care of a foster parent. We had to do some work on getting that wording right. It does allow a little bit of flexibility still, but it is huge.

As I said earlier, if it were not for the persistence of Monica, her husband, Nathan, and their family, we would not be here today, and I certainly thank them for their doggedness in getting here today. I thank minister Rau, minister Close, their staff and families once again that we have got here and that we have seen some good—which sometimes people do not see come out of this place; they see a lot of antagonism, which is our Westminster system, and that is how it works. I think we have achieved something that does show that you can find a little love in this place. I commend the bill to the house.

Bill read a third time and passed.

**ROAD TRAFFIC (ISSUE OF FREE TICKETS BY PARKING TICKET-VENDING MACHINES)
 AMENDMENT BILL**

Second Reading

Adjourned debate on second reading.

(Continued from 24 September 2015.)

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) (10:49): I thank the member for Unley for bringing this bill forward to the house. It

seeks to address what perhaps could be described as somewhat of an anachronism or an anomaly in how we manage in a legislative sense parking in local government areas.

The bill seeks to allow local councils as parking authorities to determine that a ticket must be obtained where a permissive parking sign applies, but without payment of a fee. Signs would read, for example, 'free ticket' or 'free parking', with a requirement for a ticket to be obtained and displayed as soon as possible after parking. I understand that failure to obtain a ticket or overstaying the time period will be subject to an expiation fee or further court ordered penalties.

The aim of the bill is to give not just councils more broadly flexibility, but I think particularly to build on the work that the City of Unley commenced some months ago, when they trialled such a regime with what I understand was some success; although they discontinued a trial whereby tickets were being issued to enable people to park free of charge on advice of their lawyers that it would be a breach of the regulations under the Road Traffic Act, and this is what the member for Unley's bill seeks to address.

The bill proposes amendments to the Road Traffic Act to allow permissive parking signs to state the need for a ticket. While in practice the government would usually say that any change is best made in the relevant regulations, the Australian Road Rules and the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014, the government is happy to support the member for Unley's bill.

Currently, these regulations are unclear on whether a ticket must be paid for. Although Australian Road Rules regulation 207(1) and 22 both provide that 'a fee is payable...by buying a ticket', Australian Road Rules regulation 207(2) provides that a driver must 'pay the fee (if any) payable on under the law of this jurisdiction'. I think that is where the confusion or uncertainty arises.

The Australian Road Rules clearly contemplated free parking when they were introduced in 1999, I am advised; however, whether a ticket may be required is not clear. Other forms of free parking not requiring a ticket, for example, the ¼ hour permissive parking loading zones, etc., have existed for many years.

I mentioned earlier that free ticket parking was trialled by the Unley council in June 2014, but was discontinued in February of this year, given the uncertainty as to the legal status of the regime. The Unley council acted on an interim report, and I think began to introduce the 20¢ charge for parking, whereas previously it was—

Mr Pisoni interjecting:

The Hon. S.C. MULLIGHAN: It was \$1, I am advised by the member for Unley, who of course is a little closer to the action from the rest of us. This will create the opportunity not just for the Unley council but for all local government jurisdictions to entertain this new regime. The government is largely comfortable with it. I think we would perhaps contend that these parking matters in general are best left up to local government, particularly on those roads or on those facilities where DPTI is not the road manager. The benefits and the costs of allowing free ticket parking will be for local councils. The costs of installing machines, enforcement and any revenue will be a matters for them to consider. The government would incur no cost in providing for this.

I do not intend to speak much further on this. I think this is a relatively straightforward yet meritorious proposal by the member for Unley, and the government supports it.

Mr PISONI (Unley) (10:54): Thank you to the minister for his support of the bill. I also should note and thank Steven Marshall, the Leader of the Opposition, for this new era of cooperation that we are seeing here in the chamber this morning. It is extraordinary how politics can work sometimes. We are a reflection of the communities that we represent. I think we all know that on different days you are talking to different people who want the same outcome, and I think this morning's two bills show how productive that can be. I thank the minister for his understanding and support for this bill. I thank parliamentary counsel, of course. I thank my parliamentary colleagues and, of course, the City of Unley and Councillor Rufus Salaman, in particular, who brought this problem to me.

I just want to quickly recap what has happened in Unley, over the last five years in particular, where we are seeing many parts of Unley turning into a car park. As you know, Unley is one of the

few places in the metropolitan area that has a lot of strip shopping and, consequently, car parking is very important for those businesses to survive. People need to be able to park their cars in order to attend those businesses. Anyone who has been to King William Road lately will see that there are a number of empty shops and so we are very keen to make sure that we do not have anything in place that will deter people from parking their vehicles and using the facilities, whether it be the cafes, fashion or beauty stores, that are on King William Road.

This came about because—the minister is right—the council did attempt to supersede the old chalk marking for the two-hour and three-hour car parking in the council-administered car parks on private land in behind shops that agreed to open their back fences to maximise car parking. This was a program that was started about 20 years ago within the City of Unley. Rather than sending inspectors around every few minutes marking tyres with chalk, they thought, 'Well, why don't we put in a parking meter. People can press the button at the time they arrive and it tells them what time their two-hour or three-hour limit finishes. It will not cost them anything and if our inspectors actually see that a car on that basis overstayed their stay, then we can enforce our desire to keep parking turning over so we do not have all-day parkers using those carparks.'

Unfortunately—and being the nature of the Unley electorate—I think that somebody, who had an understanding of how the law worked, received a fine for overstaying in that car park and, consequently, the council was advised that the law does not actually allow them to issue parking tickets that limit time without a fee being paid. What this bill does, of course, is remove the need for that fee.

Again, I thank the minister and I thank the government for supporting the bill. We look forward to seeing more innovative ways in which the increasing pressure on the inner suburban area can be managed so the residents who enjoy and live in the inner suburbs can enjoy their lifestyles without too much interruption from the growing use of the streets as car parking for city commuters.

Bill read a second time.

Third Reading

Mr PISONI (Unley) (10:58): I move:

That this bill be now read a third time.

Bill read a third time and passed.

COMMISSION OF INQUIRY ON WATER PRICING BILL

Second Reading

Mr WHETSTONE (Chaffey) (10:59): I move:

That this bill be now read a second time.

Essentially, this bill is for an act to provide for a commission of inquiry into water pricing to provide evidentiary powers and immunities in connection with the inquiry and for other purposes. What the commission will look at is essentially water pricing and how we actually derive water prices that are impacting on every person, every ratepayer, in South Australia. It has been widely recognised that South Australia does have the highest water prices in the country. Obviously, the recent ABS statistics have reassured critics that, yes, South Australians are paying the highest water prices even though the government continually denies that we are paying the highest water prices.

I will come back to some of the numbers, but the Liberal leader, Steven Marshall, the member for Dunstan, has introduced this commission of inquiry, and I think for good reason. Not only has he been inundated with concerned constituents who recognise that utility prices are having an impact on their daily lives but also every MP, I am sure, whether it be from the government side, whether it be from the opposition side, whether it be from Independents, everyone is feeling the pain, every one's businesses are being impacted.

Really, what we are now seeing is that the government has created a monopoly and it is dealing out pain spade after spade. What we would like to see, obviously, is someone looking at water pricing for consumers and users of water in South Australia, and why the charges here are higher than any other jurisdiction and any other economic legislative or other reform which would

promote water pricing at lower charges to consumers, particularly in reference to the Essential Services Commission, and a third-party access scheme.

The commission of inquiry is established under clause 4 to be appointed by the Governor, and there are standard clauses in relation to the processes. One of the important matters which relates to the commission is that there is an obligation to provide evidence in a number of inquiries that this parliament may promote from time to time, namely, select committees.

We have a number of ministers who refuse to attend to give evidence, and they would have certain obligations under this bill. It is clearly intended to have an independent role. I state that it must be independent and it must have an independent role because South Australians do not have any confidence in the current fiasco that has gone on around water pricing and the lack of transparency.

I note of recent times where we have had this bit of a slinging match from the Treasurer against former employees, namely, Dr Kerin from ESCOSA—it is a 'he said/she said'. That is just not good enough. I think it has been widely recognised that the asset base has been overinflated by some \$2 billion, so what that means is that every South Australian is picking up the tab for that overinflated price basically to underpin the coffers of the government.

It is a continual barrage, particularly with water. We have a Treasurer who continually cuts budgets in all sorts of areas that rely on water and service sectors, but he also has another coffer of money that comes from water charges.

It is getting to the point now where, unless we have an independent commission on water prices and the way that prices are set, South Australia will be none the wiser and South Australians will be the poorer people of this nation. It is now black and white that South Australians are paying about \$1.21 more than the national average of water pricing. I think that is just outrageous.

I have had a look at some of the numbers according to Treasury papers, and since 2002-03 a \$164 million profit was taken by the state government as a dividend from SA Water. That has risen to \$235 million in 2012-13, and the forecast for the next four years alone is some \$915 million, gouging out of people's utility bills. It is gouging people who cannot afford to pay inflated water prices here in South Australia.

Again, the standard line is that the government is addicted to gouging water prices. They are addicted to the high cost of charging people so that they can underpin their shabby budget that they cannot sustain. As I said, the ABS stats on water consumption in South Australia estimated in the 2013-14 year, 1.07 gegalitres—7 per cent of Australia's water consumption—compared with 1.1 gegalitres in 2012-13. It is showing that South Australians are using below the national average of water, yet we continue to pay the highest prices.

With the agriculture industry, one of the largest consumers of water in South Australia, it was 64 per cent of the total consumption in South Australia. Water consumption by industry and household per capita was 639 kilolitres, 20 per cent lower than the Australian average of 794 kilolitres per capita. The average water price paid by households was \$4.29 per kilolitre in 2013-14. As I have said, it is the highest average water price in Australia. The average water price in Australia is \$3.08. It is \$4.29 in South Australia and the national average is \$3.08. It is \$1.21 above the national average and it shows that the current government is absolutely addicted to and reliant on charging high water prices.

One of the legacies that this current Weatherill government is working on is leaving South Australians with the highest price for water. Consumers in 2002 were paying 38¢ a kilolitre; today it is \$2.32. I think it is just outrageous that they continue to hit the people's pocket, the people who can least afford it and the people who the government is now relying on as one of its economic drivers. Irrigated horticulture, irrigated agriculture is one of the shining lights in South Australia. We have previously seen a strong resources sector but the lights are fading fast. I think water production in South Australia, right across the Murray-Darling Basin, is underpinning a huge economy, whether it is our strong national economy or whether it is our state economy, it is massive.

I think we have to understand that all of the water pricing increases are well above CPI. Yes, we have seen the construction of a desal plant. Yes, a desal plant is a good alternative when it comes to water supply. The question is whether it was money wisely spent, rather than putting up a Liberal

initiative of a 45 gigalitre desal plant and looking at other diverse methods of providing a water supply. I think the government had rose-coloured glasses on the day that they decided that the federal government was going to fund the extra 50 gigalitres of that plant and make it 100 gigalitres, and that this would be a great windfall. However, the then treasurer did not understand that it would be GST compliant so that they would then have to charge the South Australian taxpayer for that extra 50 gigalitres. That \$2.3 billion desal plant is currently running at a minimum. It is costing taxpayers an estimated \$41 million a year, and that is obviously impacting on the price of water.

What the government failed to recognise is that it is an asset. It is an investment. It is a piece of infrastructure that is now sitting there, unproductive. It really is warranting justification. Sure, we will hit a drought and we will look at that desal plant, but why are we not looking at other streams of water? Why are we not looking at how we can diversify our supply so that we can keep our prices down? That would be because the government has a monopoly on water. It has a monopoly on water charges in South Australia. It has a monopoly on where it wants to supply its water.

We look at pipelines around the lakes; we look at treated water. I notice we have our purple pipe scheme coming out of the Glenelg treatment plant. Out of the 18 gigalitres that flows into that treatment plant, 13½ gigalitres (13,569 megalitres) goes out to sea. Just imagine what could be done with that sort of water. I fear the government is prepared to keep charging people high water prices so that it can underpin its shabby budget. It cannot see past its nose. It needs to be supplying people with cheaper water to become more productive so that we can grow more food and put it into our export markets—underpin an economy.

Mr Pengilly: That's it, feed the world.

Mr WHETSTONE: Feed the world. Well, how about we feed the people who are growing the food as well. Look at the diversity that we could have around supplying water out of the River Murray. Why are we not using our desal plant? Why do we not turn it on and bring it up to a productive standard? The water that we do not take out of the River Murray, why are we not putting that back into the market? Why are we not putting that into production, creating another micro-economy? Why are we not doing that?

Look at harvesting and storage. All water is stormwater, except for the desal water. All water is, in some way, shape or form, harvested. Why are we not looking at better ways to store our water? We hear all sorts of promises and plans that we are going to increase storage, but we are looking at a lazy government that says, 'We'll just keep sucking it out of the river. We'll just keep sucking the cheapest water we can because we've got a short-term view and no long-term vision.' The desal plant is a very expensive piece of infrastructure to operate, and yet we are prepared to have it sitting there: keep it shiny, keep that visitor information centre looking good, trying to justify why we have spent so much money on a desal plant that should be put into production.

The opportunities, the diversification I have just talked about. The structure of our water in South Australia is that SA Water is a vertically integrated monopoly. It is a provider of drinking water and sewerage services for metropolitan Adelaide. It also provides water for greater South Australia. Whether it is water to feed stock, whether it is water to put into fire hydrants, whether it is water that is put into households, they have a monopoly. I know that many regional centres, farmers, livestock producers, are selling their herds of sheep and cattle because they cannot afford to pay the price of water that this government, SA Water, is charging them. It becomes unviable.

It is becoming more viable now for our farmers and our irrigators to purchase water interstate, with land, at a cheaper price. So, why would they not produce livestock interstate rather than here in South Australia? We wonder why our economy is ailing like it is. We wonder why our population has almost come to a standstill. We wonder why we are relying on immigration to keep our population at a par. It is a crazy methodology that the government is living under. The Weatherill Labor government must establish an independent inquiry into water pricing in South Australia, that is what this bill is about. It is the only means of establishing what the real price of water should be, and could be.

I know that my time is fast running out but, before I finish up, I would like to touch on the service sector, the NRM levies. They are about to increase as well. That is a cost-shifting exercise if I have ever seen one. The NRM levy, my goodness, is increasing. We have the increase in the land

levy and the increase in the NRM levy. It is a cost-shifting exercise that should be borne by the state, not by the water user. Every South Australian relies on water security.

The Hon. P. CAICA (Colton) (11:15): I have a bit of history in this area—some might say good history and others might say not so good, but it is a history of which I am proud, and today I will set out the reasons for the government's opposition to this bill.

In response to the extraordinary drought faced by South Australia, this government undertook a wide-ranging review to ensure South Australia's water security. The result was Water for Good, a plan which set out a range of actions to ensure our water future which, contrary to the comments of the previous speaker, do include water recycling. These actions include developing a state-based access regime and subjecting monopoly water and waste water service suppliers to independent economic regulation. The parliament passed the bill which will establish a state-based access regime on 14 October 2015, one that would be consistent with the requirements under national competition policy for certification.

There is no need to establish another review on the merits of third-party access. The government accepts the merits and put forward the bill to amend the Water Industry Act to establish a state-based access regime. Consistent with Water for Good, the government subjected SA Water to independent economic regulation by the Essential Services Commission of South Australia in 2013. The first price determination was made in May 2013 and the second is scheduled for 2016. ESCOSA (as it is commonly known) has applied the regulatory rules that form part of the National Water Initiative. That means the allowable revenue is determined by assessing the building blocks that make up the cost of SA Water drinking water and sewerage services.

ESCOSA has a very important job, which it has undertaken rigorously and independently. In its first determination, ESCOSA considered SA Water's proposals for \$1.4 billion of proposed operating expenditure and \$1.1 billion of new capital expenditure. In its May 2013 determination, ESCOSA reduced SA Water's operating expenditure allowance by \$145 million (10.3 per cent) and reduced SA Water's capital expenditure allowance by \$165 million (14.4 per cent). There is no need for an inquiry about institutional arrangements that have served (and the government certainly believes will continue to serve) South Australians well.

There are two regulatory building blocks that could be considered further. These are the regulatory asset base for infrastructure in existence before ESCOSA became the independent economic regulator and the regulatory rate of return. Indeed, it is the regulatory asset base for existing infrastructure that has been the subject (as you would be aware, Deputy Speaker) of much public comment. However, this government has followed the regulatory rule book by managing a transition from government price setting to independent economic regulation.

Consistent with regulatory practice in other jurisdictions, the government set the regulatory asset base and allowed ESCOSA to determine the regulatory rate of return. Consistent with the regulatory rule book and practice in other jurisdictions, it is standard practice for transitioning to independent economic regulation to involve an element of back-solving.

The outcome that the government was targeting was set out in the 2012-13 regulatory statement. It stated that CPI-like price increases for SA Water's drinking water services are expected from 2013-14. The government also took the view at the time that benefits from reduced operating and capital expenditure should be passed on fully to customers. It is true that the government's expectation was that this approach would lead to a reduction in the regulatory asset base.

Remember that, at the time, between the draft and final determinations, we saw significant reductions in observable rates of return which meant applying this approach actually led to an increase in the regulatory asset base. It was appropriate for the government at the time to ask ESCOSA to identify the impact of a range of different scenarios. Further, it was the government's role to consider those scenarios and balance the impacts on customers and the budget.

The ultimate outcome of this process is that ESCOSA identified efficiencies that could be achieved by SA Water and that the regulatory asset base was set to ensure that customers benefited from these efficiencies through lower prices. In 2013-14, water prices fell by 6.4 per cent. Water prices rose by 2.9 per cent in 2014-15 and 1.3 per cent in 2015-16. Whilst ESCOSA is still

considering its second regulatory determination, SA Water's regulatory business proposal is calling for a further reduction in prices of water and sewerage retail services in 2016-17, followed by increases capped at CPI for the following three years.

Consideration must also be given to what would be the impact of this bill on the investment environment in South Australia. It would signal to investors a willingness of the parliament to overturn key regulatory parameters which underpin investment in regulated utilities. I understand such an approach is unprecedented in Australian regulatory practice and, as such, its impact would not be limited to the water sector. To competitors it would signal that the cost structure of SA Water is uncertain, substantially increasing risk to new market entrants and potentially discouraging them. This runs counter to the government's policy intentions and objectives of the Water Industry Act of encouraging new entrants into the new water industry.

In such a risky and uncertain environment, investors in the water industry, and perhaps other industries, will avoid South Australia unless higher rates of returns are available. I urge the parliament to carefully consider the impacts on investment from embarking on a path that potentially increases investors' perception of sovereign risk in South Australia.

My final point is what the commentators neglected to identify: that ESCOSA's decision, which is influenced by the regulatory asset base, is one factor that influences final prices charged by SA Water. Another factor is that SA Water continues to receive substantial community service obligation and concession payments from the budget amounting to over \$700 million over the period 2015 to 2018-19. The fact that when the opposition says how much the dividend is, it fails to recognise the community service obligations that are passed on to South Australians. If the regulatory asset base is reduced, then the return to government will also be reduced.

In conclusion, the institutional structure adopted by the government is based on sound regulatory precedent and is serving South Australia well. As I have demonstrated, ESCOSA has been successful in lowering prices to South Australians of water and sewerage retail services. While writing down the regulatory asset base appears attractive to some commentators, it would have a serious impact on the investment environment in South Australia and would materially challenge the ability of the government to fund water community service obligations and concessions. The best way to achieve continued downward pressure on prices is to allow ESCOSA to do its job of scrutinising SA Water's operating and capital expenditure, and, Deputy Speaker, we oppose this bill.

The Hon. T.R. KENYON (Newland) (11:22): I rise very briefly, recognising the time left, to oppose the bill. I pick up on a couple of points that the member for Colton has already made in talking about the asset price being set. The asset price, or the regulatory asset base, was recommended by ESCOSA—the independent regulator—that the asset base be set by the government and not changed. For the parliament—or a government—to now intervene in the regulatory process by adjusting the regulatory asset base again would increase the perception of sovereign risk to future investors in South Australia.

Let's face it, the Liberal Party has a strong history of privatising monopoly assets in this state, but if you are going to sell it at some point in the future, should a future Liberal government choose to do that—and they have been the party that introduced this uncertainty in the pricing regime and the ability for the parliament to intervene whenever it thought it got politically uncomfortable for the government in the pricing regime—you are going to get a lower price for the asset down the track. I would think that is something that a thoughtful Liberal party would consider—obviously not.

The other thing is that a large part of the cost of the asset base is that it is contained in regional and rural South Australia: pipelines over a long distance to a comparatively small population. That obviously is not, in the normal scheme of things, a particularly economic asset. The requirement on top of that is to have a smeared price across the whole state so that everyone pays the same price for their water, and the actual cost of the water is not reflected in the cost of getting it to where it has to go, again, over some incredibly long distances—it must be some of the longest water transmission pipelines in the world in terms of one big potable water supply network. You have to take that into account at some point.

Because we are pushed for time, I am not going to be very coherent, but the other point I would like to raise very briefly before we get into the final wrap-up is that a number of members have

raised the issue of the desalination plant. We are in the middle of a very strong El Nino event. I think you will see that there has been very low, if not drought level, rainfall in the Murray-Darling Basin from western Queensland right through western New South Wales and into Victoria. We are seeing very low inflows into the Murray-Darling Basin.

Come March next year, I think a lot of people in this state will be very grateful for the size of that desal plant and the ability to put a lot of water into the system. In fact, I think the people who will be most grateful will be irrigators in the Riverland who will have access to water that they may not necessarily have had access to in the drought conditions that are staring us in the face. With those very few words, I oppose the bill and look forward to the close of the debate and the vote.

Mr TRELOAR (Flinders) (11:25): I will be very brief, but I do want to speak in support of this bill. I want to congratulate the Leader of the Opposition for bringing this bill and the shadow minister for water for the work she did prior to going on leave. This bill is to introduce a commission of inquiry into water pricing, and it fulfils a Liberal Party commitment to establish an independent inquiry into our state's water pricing.

Water pricing has risen significantly. It has added to the cost of living for South Australian families and businesses, along with all the other utility prices that families and businesses are battling. We are disappointed, but probably not surprised, to note that the government is opposing this, given that SA Water is such a significant cash cow for the state's coffers. It is not in fact SA Water that is being used as a cash cow: it is the ratepayers, voters and constituents of South Australia who are being slugged to prop up this state's budget.

Water is not our most valuable commodity, but it is our most precious, and everybody understands that. It is not the water itself that is expensive in this state: it is the cost of delivery. I think it is high time that the cost of SA Water and its charges be investigated, and we do support the bill.

Mr WHETSTONE (Chaffey) (11:27): Every South Australian water user deserves an independent inquiry to put transparency into our water pricing in South Australia. The Treasurer and his government are gouging South Australian water users: we have the highest water prices in the nation. As I said, every South Australia deserves to know why the price of water is hurting their pocket. I commend Steven Marshall (member for Dunstan) for his call to have an independent inquiry into water pricing in South Australia.

The house divided on the second reading:

Ayes 20
Noes 24
Majority 4

AYES

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

NOES

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

NOES

Snelling, J.J.

Vlahos, L.A.

Wortley, D.

PAIRS

Sanderson, R.

Weatherill, J.W.

Second reading thus negatived.

*Motions***INTERNATIONAL ANTI-CORRUPTION DAY**

Mr ODENWALDER (Little Para) (11:34): I move:

That this house—

- (a) recognises that 9 December 2015 is International Anti-Corruption Day;
- (b) supports the UN Convention Against Corruption; and
- (c) calls upon all governments and businesses to ratify and implement the convention to help combat and prevent corruption.

International Anti-Corruption Day is recognised on 9 December and is set aside to acknowledge the UN anticorruption convention, an international pact to say an emphatic no to corrupt practices. As the first legally binding international anticorruption instrument, the United Nations Convention Against Corruption provides a unique tool to address this global problem.

Fighting corruption is a global concern because corruption is found in both rich and poor countries, and evidence shows that it hurts the poor in all societies disproportionately. It contributes to instability and poverty, and it is a significant factor driving fragile countries towards state failure. Corruption is arguably the single greatest obstacle to economic and social development around the world.

Each year, \$1 trillion is paid in bribes, while an estimated \$2.6 trillion is stolen annually through corruption, a sum equivalent to more than 5 per cent of global GDP. In developing countries, funds lost to corruption are estimated at 10 times the amount of official development assistance. Corruption does not just steal money from where it is needed the most; it leads to weak governance, which can in turn fuel organised criminal networks and promote crimes such as human trafficking, arms and migrant smuggling, counterfeiting and the trade in endangered species.

In effect, since December 2005, the convention covers four main areas: prevention, criminalisation and law enforcement measures, international cooperation and asset recovery. The convention also contains provisions on technical assistance and information exchange, and its Conference of the States Parties established the peer review mechanism in 2009. The convention now has 177 states parties, meaning that the vast majority of UN member states have come on board.

Governments, the private sector, non-government organisations, the media and citizens around the world are joining forces to fight this crime. The 2015 joint international campaign focuses on how corruption undermines democracy and the rule of law, leads to human rights violations, distorts markets, erodes quality of life and allows organised crime, terrorism and other threats to human security to flourish. We all have a stake in fighting corruption.

Corruption undermines government's ability to serve their people by corroding the rule of law, corroding faith in public institutions and destroying trust in leaders. Corruption acts as a brake on development, denying millions of people around the world prosperity, rights, services and employment, which they desperately need and deserve. When corruption prevails, both democracy and sustainable development do not. The three things go hand-in-hand.

With the United Nations Against Corruption, the world has a powerful tool to fight a global ill. Let us all use the convention's far-reaching measures to help kickstart development, lift countries out

of poverty and build fairer, more just societies, and let us all lend support to those nations who are well on the way towards addressing longstanding corruption through greater transparency and democracy. I commend the motion.

Mr KNOLL (Schubert) (11:37): I rise to support the motion. I want to quote something from the UN website, which states:

Attitudes on corruption are changing. As recently as ten years ago, corruption was only whispered about. Today there are signs of growing intolerance toward corruption and more and more politicians and chief executives are being tried and convicted

The 2009 joint international campaign focused on how corruption hinders efforts to achieve the internationally agreed Millennium Development Goals, undermines democracy and the rule of law, leads to human rights violations, distorts markets, erodes quality of life and allows organised crime, terrorism and other threats to human security to flourish.

To our regional neighbours, Australian aid is precious and demonstrably effective in supporting their budgets, but when money leaks or is ineffective in getting to the right people because of corruption it has a devastating effect on the most vulnerable people—the people who invariably need this aid the most. Corruption is not only an economic consideration. It also goes to the security of a state and the state in their region. The infection of corruption can ravage a region and drive and scare away future investment and possibly take decades to recover from incidents.

I would like to look at Zimbabwe as an example. The reason Zimbabwe is close to my heart is that I saw an otherwise prosperous country seem to sink deeper and deeper into corruption and cronyism with the ever-lengthening rule of Robert Mugabe, which has taken what was otherwise the food bowl of Africa and turned it into a place with some of the lowest literacy rates and an economy that has collapsed to the point where they had to get rid of their own currency and switch to the dollar.

In that spirit, I sponsor a child in Zimbabwe. His name is Delight. He lives north-west of Harare. The reason I did that was that I thought the situation he was in was fundamentally reversible. If a corrupt and cronyistic government had not taken hold in Zimbabwe, Delight would today have a very different life.

Because it was an entirely avoidable situation, I felt compelled to help in that country as opposed to picking other countries. With zero being highly corrupt and 10 being very clean, Transparency International's Corruption Perceptions Index marked Zimbabwe at 2.1. This marks an increase in corruption since even 1999, when the country ranked at 4.1, and it is now so dangerous that basically there is no foreign investment to speak of.

I know that Western Australia has quite a strong community of Zimbabwean expats, especially white Zimbabwean expats who escaped persecution as they saw their farms acquired by the Robert Mugabe regime and given to his cronies. Subsequently, the food that was produced on those farms basically stopped because the sycophants of the Mugabe regime certainly knew the right people but did not know how to farm. That has caused untold damage to what was otherwise a beautiful country.

The member for Bright spoke earlier in this place about his time in Zimbabwe, and I look forward to a time when Robert Mugabe is no longer in power. Surely, nobody can live forever; he is a man who is in his 80s, and it could be suggested that many lives would be much better off if Robert were no longer here. I look forward to the people of Zimbabwe, in the absence of Robert, taking back their country for the better.

In this era of free trade, we must be vigilant, as Australians and Australian companies, of the trappings of temptation. Australia has a strong anticorruption stance in both its government and its international corporate players. It is by taking the so-called high road and showing the way in transparency and anticorruption that the region and, hopefully, the world will be able to trade with one another without consideration to corruption. This is especially true in terms of aid from developed countries to those they give aid to.

In Papua New Guinea, the Australian government is leading a program called (and I assume that this is pidgin English) Strongim Gavman Program, which strengthens anticorruption and security efforts. By increasing the professionalism of the PNG Public Service through training and mentoring,

the hope is that Australia, through their aid, is helping to improve corruption within PNG and help that country to progress.

It is by helping other countries within our region and strengthening our region that we can stamp out corruption in all forms for the betterment of everybody. The Tone from the Top concept, in which leaders play a crucial role in shaping an organisational culture, is important. Many anticorruption experts show that leadership is a strong determining factor for pressure against opportunities for corruption to emerge within an organisation. I would like to turn now, a little bit closer to home, to South Australia.

We are lucky in South Australia that we do not have many instances of corruption, but where there are a few cases that have been before the court recently they have involved the misappropriation of public moneys, and I am comfortable that the courts will deal with those people sufficiently. For the most part, the ICAC, which again was a great Liberal initiative the Labor Party was dragged kicking and screaming to implement in South Australia, is a strong deterrent to corruption and maladministration, the likes of which we have seen much more prevalent in South Australia.

It is interesting that when we talk about corruption, except for these few isolated examples in South Australia we see it as largely a foreign idea. Again, that shows us why, in a state like South Australia and a place like Australia, we are truly grateful for the positive outcomes our constitutional monarchy and our democracy give us. Our strong institutions and the strong adherence to the rule of law that our citizens abide by we cannot take for granted. For instance, when we have a system, such as we have in Australia—a wonderful constitutional monarchy—if the system is working, we should not mess with it, but we also should not take it for granted. With that, I commend the motion and look forward to supporting it.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (11:44): I know that others want to speak on this, so I will not take up too much time. I think that all of us have seen instances of corruption overseas, and we read about them in the newspaper, and, quite frankly, in many cases they are sickening, and I agree with the remarks about Zimbabwe, and there are countless places around the world where in fact corruption is so endemic that the system itself, from top to bottom, is corrupt, and thank God we do not live in that sort of place

However, that said, in Australia we have had uncomfortable experiences of corruption. I could, for example, refer to the period during which the Bjelke-Petersen regime was operating in Queensland and all the notorious goings on there with people like Top Level Ted, I think he used to call himself, and other members of the white shoe brigade, and large brown paper bags being moved around.

Likewise in New South Wales and that enormously expensive reality TV show funded by the New South Wales taxpayer called ICAC in New South Wales, which, aside from achieving nothing by way of convicting anybody of anything, regularly trots people out and goes through a ritualised form of public humiliation for the entertainment of the news media. But, again, it does point to some very bad behaviour by government officials, and the question I would like to ask members of the parliament is this: what particular theme in common have most scandals in this country that have involved public officials or members of parliament? What is the feature they have in common?

I thought about this for some time, and the golden thread that runs through most of these stories, back to the time of the land boom in Victoria when at the time the premier's name, perhaps ironically, was Bent, back then it was always about land deals—the preferring of some people over others. What is the characteristic of land deals? Madam Deputy Speaker, I will tell you what it is. When you change the use of a particular piece of land from one thing to another—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.R. RAU: I am talking about corruption, I don't know about you. What you do when you do that—

Mr PENGILLY: Point of order, ma'am.

The DEPUTY SPEAKER: The member for Finnis has a point of order.

Mr PENGILLY: This is the subject of a bill that is being debated in another place and it has been through this place. We are waiting for it to come back. Surely, it is out of order.

The DEPUTY SPEAKER: I think it is a general observation.

The Hon. J.R. RAU: Thank you very much. What is it that happens when you transform a land use from use A to use B? Let me pick an example at random.

Mr Duluk: Mount Barker.

The Hon. J.R. RAU: Let me pick an example. When you rezone something from a paddock in which you grow potatoes—

Mr Knoll: Gillman!

The Hon. J.R. RAU: —to, let's say—

The DEPUTY SPEAKER: Order! Just sit down for a minute. I know it is Thursday, and I know we have a bit of *deja vu* with our favourite speaker on his feet on Thursday, but the dignity of the house does require members to observe standing order 142—and we should.

The Hon. J.R. RAU: Madam Deputy Speaker, I appreciate your assistance. As I was saying, my little example, we are getting a paddock which has potatoes in it and it is worth a \$1,000, say, a hectare, and then somebody with a magic pen—and at the moment that somebody is the minister—decides that it is not going to be potatoes anymore, it is going to be brick veneer something or other as far as the eye can see, and what happens to that land? It goes from being \$1,000 a hectare to \$100,000 a hectare.

So, characteristic No. 1 is huge windfall profits for whomever it is who happens to be in charge of the land at that point in time. There is a second part: huge costs to whom? The answer is: the taxpayer, the taxpayer of the future beyond the forward estimates, who gets to foot the bill for putting all the services in there and all the other services, like schools and hospitals and public transport and all those things. So that is the characteristic.

As it so happens, if we are really serious about corruption, we should be thinking about that and we should be doing something about that and, as a matter of interest, what we should have is the Minister for Planning being prepared to say to the people of South Australia, 'I don't think it is appropriate for me to have the power to do that sort of thing. I want to give that power back to the parliament so you can all see what is happening, and so nothing happens behind closed doors in my office. Nothing like that should happen in my office behind closed doors; it should happen here where everyone can see what is going on.' That is what I would do if I was the minister and, as it turns out, I am. So, I say to those opposite that the Libs are squibs on corruption. I will say that again: the Libs are squibs on corruption.

Mr GARDNER: Point of order.

The DEPUTY SPEAKER: Order! Sit down. Member for Morialta.

Mr GARDNER: I take offence at that.

The DEPUTY SPEAKER: Yes, I think you will probably not want to say that.

The Hon. J.R. RAU: Okay, I won't say that again.

The DEPUTY SPEAKER: No, you will not want to say it.

Mr GARDNER: Withdraw.

The DEPUTY SPEAKER: Order! You won't want to say it, will you? The member for Morialta has taken offence, so you won't really want to say that, will you?

The Hon. J.R. RAU: Well, look, if he has taken offence, I withdraw it. In my time, a 'squib' was a reference for a rather small firecracker one had on Guy Fawkes Day and it was compared with

the big ones which were penny bungers and thrupenny bungers. Anyway, let me come back to the point. What I would like to say is this: I have listened in here several times to the member for Hartley pontificate about the high moral ground and the principles and so forth about issues like corruption.

What I would invite the member for Hartley to do when he next has the meeting of that committee he is on—the Crime and Public Integrity Policy Committee—is to say to the committee, 'I'm so concerned about this corruption business with land, why don't we ask the commissioner, Mr Lander, to come down here and talk to us about what he thinks about this?' Why don't they do that? I invite the member for Hartley, and any of his colleagues who might be listening, that they should do that, see what he says about it, and then we will find out—is Janus-faced an unparliamentary reference? I am just checking before I use it.

Mr Gardner: It would be imputing improper motive.

The Hon. J.R. RAU: I see. I will say this: that it is all very well to come in here and talk tough about corruption: it is quite another thing when there is something you can do about it and you do nothing.

The Hon. T.R. KENYON (Newland) (11:52): I will speak on this motion very briefly, just to point out that the absence of corruption has allowed many economies to flourish. It has allowed merit-based economy, as much as it is, to flourish and allowed the best ideas and the most entrepreneurial spirit to flourish, along with a whole lot of other things like regulatory regimes and everything. But no regulatory regime is worth anything unless it is well administered. Two of the key components of good administration of a regulatory regime are, first, competence, and, secondly, lack of corruption.

What I would like to point out is that one of the greatest gifts to Western society and Western civilisations is that Western civilisations are largely—not exclusively or not entirely—corruption free and that is one of the great reasons why Western economies have done so well. There are a lot of other reasons. It is not a simple thing and it is obviously very complicated like most things, but one of the reasons for the predominance of Western economies over the last 200 or 300 years has been an absence of corruption or a relative absence of corruption.

You have seen other economies rise and then fall. The Chinese economy, for instance, was doing very well in recent years but they have a corruption problem and that brings with it misallocation of resources. It brings with it all of those things that are now showing up in the Chinese economy, and that they are struggling to deal with. To his credit, the new Chinese Premier—Xi Jinping, I think it is—is working his way through that issue and he is cracking down on corruption in a way that no other Chinese leader has in recent times, and that is bringing its own pain to the ruling class of China. He does not seem to be using this anticorruption, as far as people can see, as a tool for the repression of his political opponents. It is a genuine anticorruption drive and it is having an effect. In fact, in some ways it is having an effect on the South Australian economy because they are not splurging on wine and other gifts that they may have previously. That may not necessarily be good for us in the short term, but it will be in the longer term because a well functioning Chinese economy that is free of corruption will have its own benefits.

The importance of this day, International Anti-Corruption Day, to the world economy, the Australian economy, working and poor people in general, is an absence of corruption. As I said, it is one of the great gifts of Western society that we have a relatively corruption free economy, and that should be applauded.

Mr DULUK (Davenport) (11:55): I was not planning to speak to this motion but I do commend this motion to the house. As the member for Newland touched on, one of the keystones to ensuring a corruption free society and the rule of law is property rights. Property rights started in our system of government back in 1215 with the Magna Carta and King John and the rights of the English barons at the time to engage in property rights without the subject and the authority of the Crown. As the member for Newland touched on, it is property rights that are transforming China. In Eastern Europe there is no doubt it was property rights that fuelled the downfall of the Soviet Union: people's desire for freedom, for ownership, for free speech and political discourse.

Getting back to property rights, the quarter acre block is the great Australian dream and has underscored our democracy and relatively corruption free society in South Australia and Australia. Property rights started in South Australia under the British system with the Torrens title. The

importance for Australians and South Australians to be able to buy their own property, buy their own castle, is extremely important. We should not see that right being denied. Any legislation or any move by any parliament that would deny the Australian dream, I think, is one which would be a retrograde step. I support this motion. The more we can do in this parliament, including defending property rights and the right to free speech, will lead to a less corrupt society overall.

Mr ODENWALDER (Little Para) (11:57): I want to thank members for their contributions to this debate. First of all, the Attorney-General for his calm and considered contribution, straying a little off topic, arguably, but always interesting. I largely agree with the words of the members for Schubert, Newland and Davenport. It goes without saying, really, that sustainable development, transparency of process, democracy and property rights go hand in hand. I am not sure that the quarter acre block underscores our democratic system, that might be over-egging the pudding a little bit, member for Davenport, but I certainly agree that those four things, along with free speech, go hand in hand to providing the best way of life for the citizens of the world. I commend this motion to the house and I thank all members for their contributions.

Motion carried.

INTERNATIONAL DAY OF PEOPLE WITH DISABILITY

Ms DIGANCE (Elder) (11:58): I move:

That this house—

- (a) recognises that 3 December 2015 is International Day of People with Disability;
- (b) acknowledges the opportunity International Day of People with Disability provides to increase public awareness, understanding and acceptance of people with disability;
- (c) celebrates the achievements and contributions of people living with disability; and
- (d) recognises and thanks everyone in the disability sector for their continuing work.

Today, I recognise that this day, Thursday 3 December 2015, marks International Day of People with Disability. This is a day to celebrate and embrace all people with disability. This global initiative aims to promote an understanding of disability and mobilise support for the dignity, rights and wellbeing of people with disability. The day also provides an opportunity to raise awareness of the benefits gained from inclusion of people with disability in the political, social, economic and cultural fabric of Australian life.

I have to say that a celebratory day, in itself, will not redress discrimination that Australians with disability face in their everyday lives. Whilst things have improved significantly over the last few decades, discrimination does continue to marginalise Australians living with disability. Accordingly, this day should therefore not only be a celebration but also an opportunity to pause and reflect on achievements so far and consider what remains to be championed and done.

As in previous years, this year also has a theme. The theme for 2015 is 'Inclusion matters: Access and empowerment of people with all abilities.' As Graham Calma, former board member of Cara and himself living a life with cerebral palsy, says today in *The Advertiser*, it is a theme we should all live by every day. Graham acknowledges that, while South Australia is not perfect, it already has made great moves towards accessibility for people who use wheelchairs and walkers. Included in the theme I have just mentioned, there are three subthemes and they are as follows:

- Making cities inclusive and accessible for all. Cities, basic urban infrastructures and services must be more accessible, user-friendly and inclusive of all people's needs, including people with disability.
- Improving disability data and statistics. Poor data collection on disability contributes to the invisibility of people with disability in official statistics and is a major barrier to achieving service delivery that is inclusive of people with disability.
- Including persons with invisible disabilities in society and development. People with invisible disabilities such as intellectual or sensory disability or acquired brain injury often face a double disadvantage. People may perceive them as uncooperative when, in fact, their disability affects the way that they learn, work, socialise and interact and live their

life. These people can often be overlooked in program development. However, their needs are real and deserving.

People with disability must be afforded the opportunity to participate in society on an equal basis. We must all focus on the ability and not the disability of an individual. Unfortunately, all too often, the greater barrier for people with disability is less to do with their disability and more to do with stigma and discrimination.

By promoting empowerment, this government creates real opportunities for people with disability to participate, contribute, be involved and achieve their goals, so it is worthy to stop and reflect on what empowerment means. It refers to policies and measures designed to increase a person's autonomy and self-determination, to enable them to act on their own behalf and their own authority to the best of their ability. Empowerment involves investing in people—in education, training, skill, development, social independence and social interaction. When people are empowered, they are able to make a contribution and we, the South Australian community, are so much richer for it.

This government, through the Department for Communities and Social Inclusion, is leading the introduction of disability access and inclusion plans across the state and local government and statutory authorities in South Australia. Disability access and inclusion plans ensure that mainstream services, programs and infrastructure are accessible and responsive to people with disability. They provide an opportunity for organisations to identify and seek solutions to overcome the barriers that limit participation for people with disability. Mainstream non-disability-specific agencies have an important role to play in the successful implementation of these plans. The services they provide are important to all South Australians, including those with disability.

With more than 20 per cent of South Australians identified as having a disability, it is critical that all South Australians have the opportunity to participate and contribute. Local government, as we see with the Adelaide City Council, has played a pivotal role in implementing disability action plans. In this regard, I draw your attention to the innovative work of the council of Adelaide with the Adelaide Aquatic Centre upgrade and council's focus in recent years on increasing the numbers of people with disability participating in the New Year's Eve celebrations in Elder Park. Such initiatives create an inclusive and welcoming city for all.

We know that people with disability can often fall through the gaps in other service sectors if their needs are not identified and considered. Better data and information is a first step in identifying need and providing opportunities to improve services and evidence-based solutions.

As part of the South Australian Disability Justice Plan 2014-17, the Attorney General's Department is working with the Department for Communities and Social Inclusion in developing a standard question on disability for implementation across the criminal justice system. This will raise the awareness of front-line staff of the needs of people with disability—whether they are victims, witnesses, suspects, or defendants—and make the criminal justice system more accessible and responsive, particularly to those with cognitive/intellectual disability. This initiative will help promote the fundamental right of equality before the law for every South Australian.

I spoke earlier of the importance of including people with invisible disabilities. The Department for Communities and Social Inclusion has been funding disability programs for many years aimed at improving social participation and providing opportunities and support for personal development, including for people with intellectual or sensory disabilities and acquired brain injury. A snapshot of these programs includes:

- For people with intellectual disability: assistance with learning for jobseekers to overcome barriers to training and work; day option programs for people with intellectual disability that focus on developing social skills and independence; and a Micro Enterprise Project which creates opportunities for people with intellectual disability to establish their own small business.
- For people with acquired brain injury: programs aimed at continuing education for skill development, including practical social skills aimed at increasing social and recreational networks and literacy and social interaction.

- For people who are hearing impaired: programs aimed at providing opportunities and support for artists with disability; programs designed to increase independence and social skills; and training programs for assistance dogs to enable people with hearing loss to live independently.
- For people who are blind or vision impaired: programs aimed at skill development to increase independence at home or in the community, including skills in braille, training in the use of equipment, or participation in leisure activities such as aqua aerobics, tenpin bowling or blind golf.

These programs, along with the department's individualised funding initiative, where people with disability have control over their own personal budget and support, have provided increased opportunities for people with invisible disabilities to participate in their communities.

Finally, with the advent of the National Disability Insurance Scheme (NDIS)—I remind the house that South Australia was the first jurisdiction to commit to a trial of the NDIS—this represents a landmark in the way we respond to the care and support needs of people with disability. The NDIS will give people with disability every opportunity to exercise choice and control over their supports and personal budget to reach their goals and aspirations. The NDIS will also link people to existing mainstream and community services in their local area.

In closing, I ask the house in supporting this motion to pause and reflect on the contribution and abilities of all South Australians with disability. While I would like to be able to say that the political, social, economic and cultural fabric of South Australia is fully inclusive of all people with disability, I can say, though, that government initiatives, such as Disability Access and Inclusion Plans, promote empowerment and inclusion. The Disability Justice Plan and the NDIS are also plans moving in the right direction of empowerment.

On behalf of this government, I thank everyone in the disability sector for their continuing work, and I encourage every South Australian to celebrate International Day of People with Disability, and to make every effort to ensure the people living with disability are included and are welcomed everywhere. I close with a quote from Graham Calma from today's *The Advertiser* where he says:

Look beyond the disability, listen and feel more than just words. Together we can achieve anything.

Ms COOK (Fisher) (12:09): I rise today to support the motion by the member for Elder and make a small contribution. I have worked with people with disabilities since 1986 in nursing. My first job was in fact at the Julia Farr Centre, where several hundred people were residing with incredible disabilities. I found all of them deeply moving and deeply inspiring because of their achievements rather than their disabilities: the things they could actually do were just absolutely incredible.

There are also other people I have met during my life that I would like to acknowledge and put on the record. Anne Briscoe is a fantastic woman living with multiple sclerosis in the community. She has always given me hope that I can get through any other challenges I face by watching what she achieves rather than what she complains about, which is absolutely nothing. She is incredible.

Another is Angus Hincksman who, I notice, has been featured recently in the media. He is a young lad in primary school whom I met about eight years ago. He is the child of dear friends of mine, Nat and Stuart Hincksman and he lives in the member for Kaurna's electorate. He is a young lad with cerebral palsy and I have had many conversations with his parents not knowing what his future was and not knowing what he would be able to achieve.

I note that he has recently received the Novita Children Services Award for his determination for success in sport. He is the national cross-country champion for 10 to 12 year olds with a disability and I commend his performance. He is absolutely outstanding and should also be looked at as an inspiration to people.

The third is Tracey Gibb who is a dear friend of mine who was admitted to the Julia Farr centre as a young adult in the mid-1990s with locked-in syndrome, and she still resides there. I communicate with her and I am always inspired by her determination to actually have a voice when she cannot speak at all and uses electronic communication devices. Sometimes in dark hours, we

can sit and wallow on things that we cannot achieve, but I think if we look to these people for some inspiration and some hope, I think we can do a whole lot better.

In fact, what can we do for people with disabilities? In this community, I think we just need to take a few special rules. One is not to judge a book by its cover, which is a very simple thought, but just because people with disability cannot speak the same as able-bodied people or walk the same as able-bodied people, that does not mean they do not have equal or higher intelligence and capacity to participate in society. Sometimes we need to stop and listen to what people are saying from different points of view, and people with disability can certainly achieve a lot more than I can, I am sure.

One of the important lessons I have learned recently through the domestic violence hearings is that people with a disability are one group that is actually at much higher risk, and much greater vulnerability, of suffering some of the consequences of violence. One of the important things that we need to make sure they have is equity, because equity means power and choice.

I would urge everybody in this house to think about that when discussing policy and supporting people in their electorates to achieve equity through things like education, jobs and housing. It is just so very vital. I thank everybody in the community who work to give people with disability a voice and I promise that I will continue to do the same. I commend the motion and thank the member for Elder.

Dr McFETRIDGE (Morphett) (12:13): I rise to support this motion by the member for Elder that this house recognises that 3 December 2015 is International Day of People with Disabilities and acknowledges the opportunity International Day of People with Disabilities provides to increase public awareness, understanding and acceptance of people with disability. Also, we celebrate the achievements of people with disabilities and recognise and thank all the people working in the disability sector for the fantastic contribution they make to this great state.

I stood on the stage at Novita with the Premier several years ago. Novita is the non-government organisation that delivers a lot of services for children with disabilities. I stood on the stage at the Christmas party there, and I said, 'If you can't be bipartisan about disabilities, what can you be bipartisan about?' That is what I have tried to do in this place at all times.

Obviously, I have asked the minister questions about the priorities and the timing of things to try to keep things moving along, because I think we could be doing things more quickly, and to make sure that we are going to be able to roll out the NDIS on time to as many South Australians as possible—in fact, all those who are eligible to participate.

The NDIS was introduced by the federal Labor government, but with bipartisan support, again, by the federal Liberal opposition as it was then. Now, with the federal Liberal government in place, it continues to be worked on. It has been put in place and we have raised expectations to a very high level, but now we are not delivering at the level that we should be. There are children in South Australia who are waiting for those services to be delivered, and that is unacceptable.

But let's focus on this motion and let's celebrate today International Day of People with Disability. Let's look at the great things that are going on, because we all should be in awe of some of the achievements of people with disability. The 'i' word—the inspiration word—is a word that many people with disabilities do not want to hear us use, that we are inspired by them. I cannot help but use the 'i' word, because I am inspired by the people I have met in my portfolio. I often tell people, 'This is one of the most engaging and delightful portfolios you can have.' The people you meet, the families and carers, and the challenges that people are facing out there—yet they do it. They do it cheerfully, they do it willingly and they do it without any expectations. They get on with life. They really are able to achieve. They have an ability to achieve that far exceeds a lot of other people in society.

I know sometimes you get down in life and you think things are not traveling as well as you might like them to, but I just think of some of the people who I deal with. There is one particular young woman, Tracy. Tracy lives in Highgate House at Hyde Park. Tracy was 19 when she had a brain stem abscess. Now, because of that brain stem abscess, she has locked-in syndrome. She is fully conscious—completely 100 per cent conscious as we are—but is unable to move. Fortunately, she is able to breathe by herself. When you are communicating with her, it is eyes up for yes and eyes

down for no. She does have the ability, with a modified computer, to blow into an air pipe on the computer to work a computer. She has a Facebook site. I go onto Tracy's locked-in syndrome Facebook site and have a good read. She does barrack for Port Adelaide, so we have differences there, but that is okay. Tracy, and people like her who I have met across this whole portfolio, are absolutely wonderful people and so inspiring—I will use that word.

That particularly applies to young people, the little kids you meet out at Novita and the other places where the kids go—even the Cora Barclay Centre with the little deaf kids. It is amazing to watch how they negotiate the world that they are in. They overcome what we see as limitations, and they have this ability—a real ability, and it is delightful to watch. It is a great position to be in, as a member of parliament; to be able to participate and to assist in those positions.

As well as the NDIS going nationally, one of the things we are doing locally down at Glenelg is that we are trying to make that a disability friendly precinct. One of the things I have done there personally is we have made my office a disability friendly office. We have done that with the assistance of Disability Recreation and Sports SA (DRSSA). DRSSA is a non-government organisation, formerly known as Wheelchair Sports. They will come in and they will train your staff up in talking to people with disabilities, discussing their issues and understanding the barriers that they sometimes have to overcome to communicate their issues with you, whether it is in a shop, a professional centre or, in our case, in our office.

I would encourage every member in this place—I think I already have given every member in this place the brochures from Disability Recreation and Sports SA. I would encourage all members in this place to look at those brochures and, if you have not already, to contact them and sign up to the disability friendly scheme so that we can make sure that we are setting the example of being as accepting and encouraging as we possibly can be. All our constituents deserve to be given as much ability to access our services as we can possibly offer.

The other group from a disability organisation that has come to me in just the last few weeks is the group called Determined2Dive. It is run by Peter Wilson. Peter is an amazing bloke. He had a motor vehicle accident. He has an acquired brain injury and some personal issues, but he has overcome them, and he is now running this Determined2Dive. Go onto the website, Determined2dive.com.au and have a look at it.

Peter and his group are helping people with disabilities, profound disabilities in some cases—high level quadriplegics and paraplegics—to go scuba diving. It is just amazing to see people who have not stood up for years get into the water, into this weightless area, and stand-up. Some of them with some movement of their arms are able to swim around, and it is just amazing. They are determined to make sure that they enjoy the experience. People like Peter, with Determined2Dive, are able to make sure that we give all the assistance we can to people with limitations, with some degree of disability, to fulfil dreams, wants and wishes and thoroughly enjoy life, that we take for granted.

It is an amazing place out there, the disability sector—the parents, the carers. You can give example after example after example of just the amazing love and devotion that you see, not just from parents and grandparents and the immediate family, but from a whole range across the sector. It is something that you cannot fail to be in awe of, so it gives me great pleasure to support this motion.

I am going down to Victoria Square, where there are displays today between now until 2 o'clock this afternoon. I will go down there and say hello to a few of the disability groups and just ensure that we give them our support. Let us all do that, let us all do what we want to do in this place, namely, make everybody's life better, particularly people with disabilities.

Ms WORTLEY (Torrens) (12:21): I too rise to recognise that 3 December 2015 is International Day of People with Disability and support the full motion as moved by the member for Elder. The theme this year—'inclusion matters: access and empowerment for people of all abilities'—has three subheadings: making cities inclusive and accessible for all; improving disability data and statistics; and including persons with invisible disabilities in society and development. These themes provide a frame for considering how people with disability are excluded from society by promoting

the removal of all types of barriers, including those relating to the physical environment, information and communication technology, or attitudinal barriers.

We can all play a role in working towards addressing the challenges faced by people with disability and their families. I know from experience in my role as a teacher, through representing workers and constituents, that there is still so much to be done. I am particularly committed to ensuring that young people through their educational opportunities have the opportunity to achieve to the level of their ability, that they are not hindered by irrelevant rules and regulations that serve as another barrier for them.

I commend the motion and look forward to supporting it, not just today in this place but also in the future in wider forums in the community.

Mr SPEIRS (Bright) (12:23): It gives me great pleasure to speak today on the motion that is before the house that provides us with the opportunity to acknowledge that today is International Day of People with Disability. This is a United Nations-sanctioned day that is celebrated internationally, and it aims to increase public awareness, understanding and acceptance of people with disability and celebrate the achievements and contributions that people with a disability contribute to our communities.

I noted that the member for Elder in her speech outlined that the theme of this year's international day is 'inclusion matters'. I think it is certainly worth reflecting on that and reflecting on the difficulties that people who do live with a disability have in being included and in seeing basic social inclusion fulfilled in their lives.

For better or worse, life will always be that bit more difficult for people who are living with a disability, and not just more difficult for them, but more difficult for the people who are involved with their lives—their carers, friends and family. Often their carer will be their friends and family. Life will be that bit more difficult so we, as legislators and community leaders, need to look for ways in which we can work to make life that bit easier for people who have disabilities.

I am very much of the view that the role of government should be a small one in society, but in believing that I believe that the role of government is a safety net and the role of government is to step in when people are disadvantaged through no fault of their own. A program like the National Disability Insurance Scheme is something that I wholeheartedly support, and anything which sees government step in and give people who have been disadvantaged, through no fault of their own, a helping hand, is something that I will always advocate for in this role and speak of in great support.

I think we can always do better when it comes to supporting those with disability, even when we are working hard. Even when we have a bipartisan focus on programs for people with disability, I think we can always do better and we should always be trying to innovate in that space, look for ways to improve our dollar spend in that policy area, and work harder to support our most vulnerable in society.

Members of parliament, my colleagues in this place, are uniquely positioned within our communities as leaders and as people who, through our privileged positions, have influence and can hopefully be able to get things done. With that privileged position comes a significant responsibility to look out for ways that we can help people who live with disabilities.

A few months ago, I saw on the internet a social media photograph—it was on Facebook and I was actually tagged in it by a member of my community—of a disability access mat. It was overseas and it was running over the soft sand on a beach to the water's edge to give people who might have physical impairments, and particularly those who have wheelchairs or who are on walking frames, the ability to get over that soft sand and be able to dip their toes in the ocean or to paddle or perhaps have a swim. That is something that many people take for granted.

It is certainly something that I take for granted as a beach lover and as someone who represents 16 kilometres of beautiful coastline in the city of Adelaide. The beach is a huge part of my life. It is probably the reason why I live where I live, and it is a huge lifestyle factor in my life being able to walk to the beach, which is a couple of minutes from my home, and run over the sand and into the water. That is something which I take for granted. It is something that most people probably take for granted, but it is something which is denied to many people who have disabilities.

Wheelchairs, unless you have an unusual and expensive model, cannot navigate soft sand. People on walking frames cannot navigate soft sand. Even people with walking sticks, bad backs or problems with their joints cannot necessarily navigate soft sand.

When I saw this image on social media which showed a pathway through that soft sand and taking people to the water's edge, I thought, 'Look, that is an opportunity for us to do something in my community which will improve the lives of many people and enable them to do that thing that I take for granted—getting myself to the water's edge.'

I approached the local council and had initial discussions with them and it appeared that it might be quite a bureaucratic process to get the local council on board in the first instance. I decided to go down the track of crowd funding, using social media and that image I had initially seen, the image that had drawn me into this area, and use it on social media, set up a website through www.mycase.com.au to try to raise some funding around this to be able to fund such a beach access pathway, partnered with Surf Life Saving SA and Seacliff Surf Life Saving Club, one of the key community organisations in my electorate, to see whether we could get this to happen.

Also, once they saw this on social media, people started to come out of the woodwork. People with disabilities approached me, and I was able to form a sort of little advisory group to look at this. I want to particularly mention an employee of the University of Adelaide, Scott Crowley, who has been very supportive in pushing this forward as well, and he is a wheelchair-bound triathlete.

We got the crowd-funding site up and running and, within a couple of weeks, we have been able to raise almost \$3,000 through that. We have received a donation of \$5,000 from the Rotary Club of Brighton which is shutting down and wanted to leave a legacy with the last of its fundraising efforts, so we have had \$5,000 from them.

We have had interest from the local Lion's Club and the local Kiwanis club donating money. Two businesses, one called Solarsuit and another called EnerG+ personal training, have both decided to give a percentage of their profits to this fundraising initiative through the months of December and January. So, there is a lot of momentum around this project.

We are very close to raising the amount of money that we need to raise, and hopefully in January we will be able to see one of these beach access mats rolled out across the soft sand in front of the Seacliff Beach Hotel at Seacliff and take people down to the water's edge so that they can dip their toes in the ocean, because that is what inclusion is all about—giving people who might not have the opportunity to do something, finding a way to bring them that opportunity.

The beach is incredibly important to my electorate, it is incredibly important to me, so let's give people who might not necessarily have the opportunity to enjoy the beach the chance to get there and dip their toes in the ocean. I commend that little initiative to members in this place. If you do want to get on board you can pledge via my website, www.davidspeirs.com.au where there is a link to the mycause website.

Equally, this is just one example of what someone in our privileged role can actually look at achieving. Though you may not have a coastal electorate, there may be other initiatives in your electorate you can identify where we can use our position and our role as leaders in our community to say, 'No, we're going to go about this.' The local bureaucracy might not necessarily make it easy, but let's look for a way to get around it.

Interestingly, and in closing, the City of Holdfast Bay three weeks ago unanimously endorsed a motion to contribute \$1,000 to the project. Having not been necessarily enthusiastic at the beginning of that process, the councillors did get on board and pledge \$1,000 to the initiative a couple of weeks ago. I am very grateful to the City of Holdfast Bay and very grateful for the role of Surf Life Saving SA in providing advice for this project and, of course, the Seacliff Surf Life Saving Club for partnering with me on it. Inclusion does matter and we can make a difference, and I commend the motion to the house.

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (12:33): I would just like to say a few brief words in support of the motion by the member for Elder. Today is a day when we, as a community—in fact, as a worldwide community—celebrate and acknowledge the

contribution that people living with a disability make to our communities, but we also acknowledge the challenges they face as individuals in a community which, perhaps, does not understand disability very well.

It is also a day when I think we should acknowledge the challenges for their families and carers. I have met a number of family members who have children with a disability and, while they love their children enormously, there is a challenge to raising a child with a disability. As a community, we need to support them as much as we can, and that is why I am looking forward to the NDIS agreement being signed and we roll out the full agreement and support the families.

It is also a day when I think we should acknowledge the contribution made by the service providers in this sector. Often the only time we hear about the service providers is when something goes wrong. There are a number service providers out there, particularly in the not-for-profit sector, the non-government sector, and they make an enormous contribution, and a very positive contribution, to the lives of people living with a disability. I have ongoing contact with them; in fact, last night I met with a number of the providers, and they are also looking forward to the signing of the agreement.

This morning, I held a small function to acknowledge the contribution made by the Community Visitor Scheme. This scheme, headed up by Maurice Corcoran, is all volunteers apart from a couple of staff who receive some payment. These volunteers help ensure that people living with disability are safeguarded and protected in a residential setting. Whether that is institutional or whether that is in a group home, they visit the premises and ensure that people are being looked after, and I really do appreciate the contribution that they make.

It is interesting to look at the profile of the volunteers—from retired law professors, to social workers, to people who have medical degrees, etc. To a T, all of them said how much they enjoyed their volunteer work. It does not matter what they do in their paid work, their volunteer work is very rewarding. I would also like to acknowledge all the work done by support workers in the disability sector because, again, this is an area which can be very challenging at times for support workers and, unfortunately, the only time we hear about them is, again, when something goes wrong. The overall majority of support workers really do put their heart into their work in caring for the most vulnerable in our society.

I also acknowledge all the people in Disability SA and Domiciliary Care in the government agencies. They often do a lot of work that is not seen by the community at large. Often their work is behind the scenes making sure that things go right. I would like to acknowledge the contribution made by my agency and, in particular, the agency's work in helping to prepare the necessary information required to move forward with the NDIA scheme and, as I said, I look forward to Santa bringing a special present this year and leaving it under the tree for the sector.

One of the challenges mentioned which I think I need to reinforce is that people living with a disability face some misunderstanding. I call it 'misunderstanding' because often people just do not know; it is more around ignorance than deliberate actions against people with a disability around employment, training, recreation, arts and culture. One of the things I have tried to do as a minister—and the government and a lot of people and advocates in the area—is try to make sure that the community understands that people with a disability also have abilities and that they should, like every one of us, have the opportunity to experience the full range of human experiences we take for granted every day. Certainly, it has been the policy of this government to do so.

We have had a number of discussions and round tables about how we remove some of those barriers against employment, training, recreation, culture and arts because of people holding views which may not be based in reality. This is particularly so in the area of justice. The Attorney-General and his agencies have done an enormous amount of work in this area, ensuring that people living with disability who are the victims of some crime have an opportunity to speak for themselves and make sure they are heard in our justice system.

While that is really great, as minister I am also concerned about people living with disability who are alleged offenders because often there can be a second injustice for those people, the people who cannot defend themselves, particularly those who are in our correctional system. I am working

with both the commonwealth and other state ministers to make sure that people in our correctional system do not get left behind by the NDIA.

I put on the record that certainly the commonwealth minister was quite receptive when I raised that issue with him. Being an ex-corrections minister in WA, he understood the issues. As corrections ministers around the country, we are certainly advocating to make sure that the supports which are available to people in the community should not be cut off when a person goes into the corrections system because we are effectively punishing them twice. With those few comments, I would like to support the comments made by other speakers and, hopefully, this time next year, we will be celebrating a lot more in the disability sector.

The Hon. J.M. RANKINE (Wright) (12:39): I want to make a few brief comments. The contributions before me highlight just how significant and wide ranging the challenges are that face our community in ensuring that people with a disability live full lives and have equal access to all aspects of our community. We have come a long way but we still have a long way to go.

When I say we have come a long way, back in the 1970s, for example, when my niece was born with Down syndrome, parents, at that time, were encouraged very strongly to forget that they had children with an intellectual disability, put them in a home, leave them there and get on with their lives. My brother and sister-in-law were part of that first cohort of parents who said, 'No, we won't do that. We're going to keep our child at home and do our best by her.' They were told that my niece would never walk or talk or eat unaided. When she was about 30 my sister-in-law said to me, as this beautiful young woman was chatting away, that she blamed my brother: he insisted that she would talk and she did. She now lives a very fulfilling and active life.

The challenge facing governments in the last couple of years has been the fact that many parents did exactly what my brother and sister-in-law did, kept their children at home and did their bit as parents, and they are entering their older years with the distress of what is going to happen to that child. Along with the new cohort of parents who accept that it is their child, their responsibility, but not totally their responsibility, they are demanding appropriate supports for that child.

So, self-managed funding, the NDIS, was a very important initiative. I was very proud, as minister for disabilities, to sign some of the first self-managed funding agreements in South Australia that we were trialling before the NDIS was introduced. We have done an enormous amount in South Australia under this government to improve housing for people with a disability. When the housing stimulus package became available we built many purpose-built homes for people with a disability and many people from institutions, such as Strathmont, were able to be accommodated in small clusters so that they could maintain their friendships but live in the community.

It was very exciting to see. Many parents were quite frightened by it. They had been convinced that was the best place for their child to be back in the 1970s and then we were convincing them that, no, they should be out in the community. When they saw the quality of the homes they were overwhelmed and their children were very excited. We provided money for Minda to build new homes, to get people with a disability out of that institution. At Woodville West we built apartment buildings that had inbuilt electronic and technological supports for people with physical disabilities.

We have constructed and opened six new special schools in South Australia. Errington, I think, is a highlight. The old Ashford Special School moved to Errington. Six special schools co-located with mainstream schools. I know that each of the schools were concerned about the transition of the students and how they would cope, and in every instance the students were really excited about being in a quality educational environment. They literally took to it like ducks to water.

We need to understand in our community that although someone may have a disability they have many abilities. Many people can, in fact, hold down really good jobs. When I was located in Pirie Street in the Attorney-General's office there was a young woman with Down syndrome who was employed and a young man with an intellectual disability who ran the files, and he did a great job throughout the building running the files. We saw recently that lovely young man who was the strapper of the Melbourne Cup winner holding down a really good job. I think it was a very powerful message to employers around the nation that you can look at people with a disability, that they can be really quality employees with the right support and in the right environment.

The minister touched on those people who are working in the sector and I think, for a large part, they are angels. They do work that many of us would never be able to do, day in and day out, supporting some of the most vulnerable people in our community. My hat goes off to them and I thank them very much for the work they do. I think it is fitting and I congratulate the member for Elder on bringing this motion to the house so that we can continue to lift awareness about the needs of people with a disability and thank those who work to enhance their lives every day.

Ms DIGANCE (Elder) (12:45): I would like to thank all those who have contributed to support this motion—the members for Fisher, Morphett, Torrens, Bright, Light and Wright. It is a really important motion to recognise International Day of People with Disability. To actually be able to do it today, on the day, in this house is very significant.

The conversation is but part of what we all need to do, and I think we all recognise (those of us who have spoken and probably those who have not spoken) that the role of a member of parliament is very privileged and we carry with it responsibility and ability to make a difference and make a change. Critical to this is discussion that goes on in this place to support those who need our support, and this is one such group.

I would encourage everyone to maintain the conversation and keep on promoting those who are in need of our support so that at some stage they will walk on equal footing with us on life's journey. I commend the motion to the house.

Motion carried.

PINERY BUSHFIRES

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (12:47): I move:

That this house—

1. Extends its deepest condolences to the families and friends of the people who died during the Pinery fire and wish a speedy recovery to those who were injured;
2. Acknowledges the outstanding efforts of our fire and emergency services, police, South Australian Ambulance Service and other agencies during this major event;
3. Recognises the pivotal role volunteers, including those from interstate, played during the response and recovery phases of the Pinery fire; and
4. Acknowledges the resilience of local communities impacted by this catastrophic fire.

I would like to speak more as a local member than the Minister for Emergency Services. As I have mentioned previously, this fire particularly devastated my electorate, as it did the electorates of the members for Goyder, Schubert and Stuart. Also, I think Tarlee is in the member for Frome's electorate.

In supporting the motion, obviously, I would like to extend my deepest condolences to the families and friends of those people who died during the Pinery fire. More importantly, I also acknowledge the ongoing suffering of those people who are critically ill as a result and those people who have not necessarily experienced a physical devastation but also psychological and emotional distress.

The trauma from this fire has yet to be worked out. For a lot of people, we will need to monitor and be very careful of the emotional and psychological trauma. As I said the other day, I would again implore people, particularly men, in country areas to seek support and help, because it will affect them. There is no doubting that it will affect them. You cannot lose generations of memories and what you have built up and not be affected. It will affect you.

In addition to the loss of life and the loss of property, there is also the loss of simple possessions like photographs and records, things which you cannot replace. They are an important part of your life, and you will never be able to look again at those documents and photographs of the grandchildren, or whatever. So, there is great loss there. I would implore people to seek support. There is no shame in seeking out support, and it is very important. I would actually say that it is

important for your families and friends that you do seek support because they need you there; they need you with them. So, I would do that.

I would also acknowledge the outstanding efforts of our fire and emergency services, the police, the South Australian Ambulance Service, and other agencies during this major event. In this regard, I think that all the stats we have seen do not paint the full picture in terms of the trauma to the community, but also the enormous contribution made by a whole range of people: volunteers, paid people, etc. I have heard stories over the last few days from people in my electorate of great acts of selflessness—there were many acts of selflessness—and I have also heard stories about great bravery by police officers, and bravery by other emergency service volunteers and workers. The day will come when we will be in a position to talk more about that once some healing has occurred.

I would also like to acknowledge the important role that volunteers and other paid crews have made from other states. I think it is very important to say this: when it comes to a time of crisis, we do it really well—we are one nation. We are one nation, one country, one continent, and we need to work and support each other, and we do. When there is a crisis in another state or territory, we go across and help them. They do the same for us. Not only is it good for our nation to make sure that we remain one nation and act as one nation but it is also important that we actually mobilise the resources, because no state can have all the resources for the biggest events. We do that, and we do it very well. So, I would like to acknowledge members of the CFA and the volunteers from the CFA from Victoria.

I would also like to thank the minister, Jane Garrett. As soon as she heard about the fire she rang me and said, 'What do you need from our state; we're there for you.' She rang me on a number of other occasions, too, just to see how we were going. She particularly rang when she heard that my own electorate had been affected, so I thank her for that. I also need to also acknowledge publicly minister Keenan, the commonwealth minister, who also rang me to say, basically, 'We're here to help you as well.' I would like to acknowledge that, as he did on other previous occasions as well.

I would also like to importantly acknowledge that with time we will recover and with time we will rebuild; these communities are resilient and they will rebuild. I have already seen examples of that. One of my communities, Wasleys, was particularly affected by the fires: we lost our post office, our bowling club, and the general store was affected. Apart from the loss, the sad part about this is also the fact that the general store and the post office only recently opened having been closed for some time. It has been a tragedy for that community, but the general store reopened on the Saturday. The post office is getting back together again, the Wasleys bowling club are bowling again, and I think the department of education is helping them to buy some temporary clubrooms across the road so that they can operate.

Getting back and doing the normal things are very important for the process of grieving and the process of the community coming together and the process of getting through this event and rebuilding. With those few comments, I commend the motion to the chamber.

Mr GRIFFITHS (Goyder) (12:53): I commend the member for Light for this motion and, indeed, I note everything that has occurred. Driving into parliament this morning, I had a call from one of the impacted property owners who managed to save their home, but everything else was gone, and he said to me that yesterday, day 6, was the hard day for people around the district, psychologically dealing with it, but he said, 'Today's a better day.' No matter what stress we have in our lives, when you consider the impact of the devastation of 25 November, it puts it all into balance.

I also offer my sincere condolences to those who have lost loved ones and those who have been injured, sadly, in many cases, very seriously. One of the hard things I had to do this morning was write a letter to Mrs Jenny Tiller, Allan's wife. I had contacted Jenny on the Thursday after Allan had passed on the Wednesday, and that was hard enough, but I thought, how the hell can I put anything in words, because I had thought about Allan's loss hourly and I respected him enormously. I was so pleased that *The Advertiser* has given some significant coverage to those who have suffered, because the photos of Mr Tiller and his grandchildren actually capture the man. I have been so impressed by that.

The community is exceptionally resilient. Their level of support on the day and since, no matter where you are from, is humbling to see and revives one's faith, which is somehow rather challenged, in the human species. I put on record in a very short time my respect for those who offered on the day, who sacrificed on the day and who made a commitment that has cost them significantly on the day but who were prepared to do so to save others.

It puts everything we do in perspective; it puts everything our society does in perspective. While the day was exceptionally challenging, it has brought out the absolute best in people which is something we should be proud of.

I do not want to focus on negatives, but the concerns about looting are an absolute disgrace. I spoke to one chap on the weekend whose home is not lost completely, but it is uninhabitable. He is camping there because of the stories about looters. I know it is a very small minority and every effort has been made to identify them, but that is the absolute negative.

The challenges the community is facing will be overcome. It will take a generation to forget about it completely. The member for Light was very correct in saying that the memories that are lost are never taken away completely from the mind. It becomes harder to recollect them, but they will always be there. I put my hand on my heart and offer my sincere congratulations to those involved in helping the community overcome it, because the community will need it for many days to come.

Mr KNOLL (Schubert) (12:56): Building on the remarks from the other day and in rising to support this motion, one of the things I would like to do first is to offer my condolences and dispense the help of my office to those who are affected by the fires, especially those who lost houses or property or have been inconvenienced. It is certainly an extremely traumatic event.

The comment I have heard most from those who were involved not just in this fire but also through Eden Valley and Sampson Flat was that, unless you have experienced it, it is hard to understand the trauma. Terms such as acts of bravery, fear, the loss that comes afterwards, are the warlike descriptors that are used to understand the horrific nature of fire when it comes over.

It is that trauma from which we will now need to recover. Certainly the members for Light and Goyder are talking about how our communities are now going to deal with it and recover. There was a men's shed event yesterday in Freeling where over 200 farmers got together, and I know there will be many more of those to come. On 19 December, there will be a concert at Kapunda. I also know that a community meeting being held tonight and the one at Freeling, which I am going to on Monday, will be ways for the community to come together and talk about it.

What I tend to find in these situations is that communities want to look after these things themselves. I found from Sampson Flat and Eden Valley that they do not want outside pity: what they want is the ability for those who are affected and understand what happened to come together, talk about it and process it themselves. That is what close-knit rural communities do, and we should look at anything we can do to help them process what happened and overcome emotionally the grief they are feeling. I commend the motion.

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (12:58): I thank the members for their contributions. All I would like to add is that I hope and pray we do not have another one in this season.

Motion carried.

Sitting suspended from 12:59 to 14:00.

Petitions

BANKSA

Mr ODENWALDER (Little Para): Presented a petition signed by 3,232 residents of South Australia requesting the house to urge the government to come out in support of Australian jobs, skills and services for South Australian residents by condemning Westpac's decision to close 20 rural BankSA branches.

FUR SEALS

Mr PEDERICK (Hammond): Presented a petition signed by 585 residents of South Australia requesting the house to urge the government to immediately implement a management plan, which should include a sustainable harvest of the New Zealand fur seals/long nosed fur seals.

EMERGENCY DEPARTMENTS

Dr McFETRIDGE (Morphett): Presented a petition signed by 18 residents of South Australia requesting the house to urge the government to take immediate action to ensure that critical care services at The Queen Elizabeth Hospital are maintained and not to implement proposed changes to The Queen Elizabeth Hospital emergency department under the Transforming Health plan.

*Parliamentary Procedure***ANSWERS TABLED**

The SPEAKER: I direct that the written answer to a question be distributed and printed in *Hansard*.

PAPERS

The following papers were laid on the table:

By the Speaker—

Local Government Annual Reports—

Coorong District Council Annual Report 2014-15

Kimba, District Council of Annual Report 2014-15

Loxton Waikerie, District Council of Annual Report 2014-15

Naracoorte Lucindale Council Annual Report 2013-14

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

Statutes Amendment (Courts Efficiency Reforms) Act 2012, Report required under Section 28 of the,

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

Central Adelaide Local Health Network—Annual Report 2014-15

Health Advisory Council—

Central Adelaide Local Health Network Annual Report 2014-15

Northern Adelaide Local Health Network Annual Report 2014-15

Women's and Children's Health Network Annual Report 2014-15

Maternal, Perinatal and Infant Mortality in South Australia—Annual Report 2013

South Australian Abortion Reporting Committee—Annual Report 2013

Women's and Children's Health Network—Annual Report 2014-15

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

Chief Psychiatrist of South Australia—Annual Report 2014-15

Principal Community Visitor—Annual Report 2014-15

By the Minister for The Arts (Hon. J.J. Snelling)—

Adelaide Festival Centre—Annual Report 2014-15

Adelaide Film Festival—Annual Report 2014-15

Art Gallery of South Australia—Annual Report 2014-15

Carclew—Annual Report 2014-15

History Trust of South Australia—Annual Report 2014-15

JamFactory Contemporary Craft and Design Inc—Annual Report 2014-15

Libraries Board of South Australia—Annual Report 2014-15
South Australian Museum—Annual Report 2014-15
State Opera of South Australia, The—Annual Report 2014-15
State Theatre Company of South Australia—Annual Report 2014-15
Tandanya—National Aboriginal Cultural Institute—Annual Report 2014-15

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

Electricity Industry Superannuation Scheme—Annual Report 2014-15
Motor Accident Commission—Annual Report 2014-15
South Australian Parliamentary Superannuation Scheme—Annual Report 2014-15

By the Minister for Small Business (Hon. A. Koutsantonis)—

Small Business Commissioner—Annual Report 2014-15

By the Minister for Correctional Services (Hon. A. Piccolo)—

Correctional Services, Department for—Annual Report 2014-15

By the Minister for Emergency Services (Hon. A. Piccolo)—

South Australian Fire and Emergency Services Commission—Annual Report 2014-15

By the Minister for Road Safety (Hon. A. Piccolo)—

Community Road Safety Fund Revenue and Expenditure Report
South Australia's Road Safety Strategy Annual Progress Report—Report 2014

By the Minister for Veterans' Affairs (Hon. M.L.J. Hamilton-Smith)—

ANZAC Day Commemoration Council—Annual Report 2014-15

By the Minister for Communities and Social Inclusion (Hon. Z.L. Bettison)—

Communities and Social Inclusion, Department for—Annual Report 2014-15

By the Minister for Multicultural Affairs (Hon. Z.L. Bettison)—

South Australian Multicultural and Ethnic Affairs Commission—Annual Report 2014-15

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

Australian Children's Education and Care Quality Authority—Annual Report 2014-15
Child Death and Serious Injury Review Committee—Annual Report 2014-15
Education and Early Childhood Services Registration and Standards Board of
South Australia—Annual Report 2014-15
National Education and Care Services—Annual Report 2014-15

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

Across Government Asbestos Risk Reduction—Annual Report 2014-15

Ministerial Statement

INTERNATIONAL DAY OF PEOPLE WITH DISABILITY

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:04): I seek leave to make a ministerial statement.

Leave granted.

The Hon. A. PICCOLO: In 1992 the United Nations proclaimed 3 December as International Day of People with Disability. The day aims to promote an understanding of disability and motivate communities to support and uphold the dignity, rights and wellbeing of people with disability. It is an opportunity to raise awareness and celebrate the valuable contribution that South Australians with disability make to our community. It is also a chance to focus on what still needs to be done to improve the lived experience of people with disability.

The theme for 2015 is 'Inclusion matters: access and empowerment for people of all abilities'. The three sub-themes for this year are: making cities inclusive and accessible for all; improving disability data and statistics; and including people with invisible disability in society and development. It is often barriers in the environment that hinder full and effective participation in society on an equal basis rather than disability itself.

The South Australian Government is firmly committed to making a real difference to the quality of life of people with disability. I am pleased to report that significant collaborative efforts are being made in this state to improve outcomes in a range of areas. I would just like to briefly focus on some key examples. The Department for Communities and Social Inclusion, through Disability SA, is introducing disability access and inclusion plans across state and local government. These plans align with the principles of the United Nations Convention on the Rights of People with Disability, which are based on respect, equality and non-discrimination. They also align with the National Disability Strategy in aiming to improve outcomes not only when people come into contact with disability-specific services, but also by ensuring that mainstream services, programs and infrastructure are responsive to people's individual needs.

For some people their disability is not readily apparent. That is what is meant by people with invisible disability, one of the themes this year. Unfortunately, this means that people with an intellectual or sensory disability or acquired brain injury often face a double disadvantage. One of the more innovative measures the government has led this year has been a 90-day change project that resulted in the employment of people with intellectual disability in the public sector.

Other measures to enhance the employment of people with disability in the public sector include a better practice guide and a range of fact sheets, available from the Equal Opportunity Commission's website. As part of the South Australian Disability Justice Plan 2014-2017, the Attorney-General's Department is working with Department for Communities and Social Inclusion in developing a standard question on disability for implementation across the criminal justice system.

This morning I met with the principal community visitor, Mr Maurice Corcoran, and the staff and volunteers of the Community Visitor Scheme. The Community Visitor Scheme plays an important role in providing a voice for people with disability by going into group homes and other accommodation settings to meet and talk with the people living there. I would like to thank those volunteers who give their time to making a difference to the lives of people with disability, particularly those who have little ability or opportunity to speak up for themselves.

At lunchtime today I attended the international day celebrations at Victoria Square hosted by the Brain Injury Network SA, ParaQuad South Australia and Lifetime Support SA. I would like to acknowledge that the member for Morphett was also present. This is just a snapshot of the breadth of work happening across the state to bring about cultural change and to ensure that people with disability are able to participate in society on an equitable basis.

As many people would be aware, I am very pleased to say that the bilateral agreement between the commonwealth and the South Australian governments for the transition into the full NDIS is close to being signed. The National Disability Insurance Scheme represents an enormous transformation and will improve the lives of around 32,000 South Australians living with disability, who will have increased opportunities to live their lives and fulfil their goals and aspirations.

I would also like to bring members' attention to the fact that the NDIA October quarterly report showed that South Australia has more completed NDIS plans than any other state or territory, something that we can be very proud of.

In closing, I would like to invite members to share my vision for the future: an inclusive society that genuinely welcomes, respects and values the contributions of all citizens regardless of their abilities, age or background. Please join me in celebrating International Day of People with Disability 2015.

Parliamentary Committees

PUBLIC WORKS COMMITTEE

Ms DIGANCE (Elder) (14:10): I bring up the 537th report of the committee, entitled Better Neighbourhoods Program—Program 1: Renewing Our Streets and Suburbs Initiative.

Report received and ordered to be published.

PUBLISHING COMMITTEE

The Hon. J.M. RANKINE (Wright) (14:11): I bring up the report of the committee, entitled Report 2015.

Report received.

The SPEAKER: The member for Wright will be responsible to the house for publishing matters should any questions without notice need to be asked.

Question Time

GOVERNMENT RADIO NETWORK

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:12): My question is to the Minister for Emergency Services. Can the minister advise whether the funds set aside to upgrade the South Australian government radio network will deliver the five additional towers needed to remove blackspots in the Gilbert Valley?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:13): I thank the honourable member for his question. As the member would be aware, the \$170 million government radio network upgrade will address a whole range of issues right across the state.

In terms of which specific spots will be addressed, I would need to get some specific advice on that, but I am aware, and as I previously said, that it is the view expressed by the contractors and also the department responsible for the network that certainly it will improve some of the blackspots across the state. However, I also said very clearly that it will not address every issue 100 per cent—no network can, and that is why there will be a range of complementary systems or networks in place.

GOVERNMENT RADIO NETWORK

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:13): Supplementary: is the minister downgrading his commitment to the people of South Australia, that now the \$175 million upgrade is only going to improve blackspot coverage in direct contradiction to what he said in his press release which said that there would now be 99.999 per cent recurring availability to the thousands of active users of the South Australian government radio network? Now there's got to be improvement.

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:14): No, that is not inconsistent at all with what I have just said. What I said was it would improve it, but I also said it won't be 100 per cent and the question itself identifies it.

GOVERNMENT RADIO NETWORK

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:14): Can the minister advise—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The Treasurer is called to order.

Mr MARSHALL: Can the minister advise whether the estimated cost of \$5 million to build the five additional towers is built into the scheduled \$175 million upgrade?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:14): Sorry, can I have that question again, Mr Speaker.

Mr MARSHALL: Can the minister advise whether the estimated cost of \$5 million to upgrade the five towers in the Gilbert Valley has been built into the total budget of \$175 million for the upgrade of the South Australian government radio network?

The Hon. A. PICCOLO: My understanding is that that network is part of a separate project with the commonwealth. What I do understand is that the network, as mentioned, will cover it but, in terms of specific locations, I will have to get that advice for you.

The SPEAKER: Supplementary.

GOVERNMENT RADIO NETWORK

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:15): Is it the case that the minister can't confirm that the five towers in Gilbert Valley will be part of that, given that the government has known about this for an extended period of time?

The Hon. A. Koutsantonis: Which government—commonwealth or state?

Mr MARSHALL: State.

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:15): Can I just make an observation? It's fine for the Leader of the Opposition to focus on the Gilbert Valley; I actually have to look at the whole state. There are a number of locations across the state which need to be addressed, and I will look after the whole state.

Ms Chapman interjecting:

The SPEAKER: The deputy leader is called to order.

Mr MARSHALL: Supplementary, sir.

The SPEAKER: Supplementary.

GOVERNMENT RADIO NETWORK

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:16): Isn't it the case that the former emergency service minister, the Hon. Michael O'Brien, explicitly stated in written correspondence that five towers would be needed to remove the blackspots in the Gilbert Valley?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:16): Given that the rollout plans are still being worked on at the moment, I really need to get that information and give it to the member.

GOVERNMENT RADIO NETWORK

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:16): My question is to the Minister for Emergency Services. Can the minister detail to the house when the government first became aware of blackspots in the government radio network that led to CFS crews being unable to receive contact during catastrophic fire incidents?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:16): What I can say is that I don't agree with the comments made by the leader and that—

Mr van Holst Pellekaan interjecting:

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

The Hon. A. PICCOLO: —as I have indicated previously in this chamber, in terms of the current fire we need to actually look at what has actually occurred and some of the facts need to be verified.

Mr MARSHALL: Supplementary, sir.

The SPEAKER: Supplementary, leader.

GOVERNMENT RADIO NETWORK

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:17): What part of my question doesn't the minister agree with?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:17): The member has asserted that there have been previous failures of the network and I don't necessarily agree with that.

GOVERNMENT RADIO NETWORK

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:17): My question to the minister is: when did the government become aware of these blackspots?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:17): Certainly, I have been aware of the blackspots in my period of time as minister, and that's why I have been very keen to make sure that we advance the upgrade and I was prepared to sign a \$117 million contract under my watch.

Mr MARSHALL: Supplementary.

The SPEAKER: Supplementary, leader.

GOVERNMENT RADIO NETWORK

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:17): Why is it the case that the government hasn't fixed these blackspots when we know that the current Premier has known about these blackspots since 2003?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:18): What I can advise is that—and, as I have said, again—the upgrade of the government radio network will address many of these issues but not 100 per cent, and one of the reasons we are also trying to seek some advice is to work out in which of those areas we will need to do some supplementary work.

GOVERNMENT RADIO NETWORK

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:18): Does the minister stand by his claim that in fact the blackspots, or the lack of coverage, will only be to 0.001 per cent of the state covered by this GRN?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:18): I stand by that comment.

MULTIPLE LAND USE

Mr ODENWALDER (Little Para) (14:18): My question is to the Minister for Mineral Resources and Energy. Can the minister inform the house of the government's approach to multiple land use and if he is aware of any alternative views?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:18): I thank the member for his question and for the continued support for a balanced approach to land use in South Australia that enables our economy to continue to benefit from our

twin strengths in agriculture and resources. The framework that supports multiple land use firstly acknowledges that conflict can arise between sectors. Here in South Australia we already require stakeholder engagement and fair compensation for land use and access.

Our state's economy evolves to contemplate broader land use options, and I accept that we can improve on past experience to ensure that government, community, business and industry adopt leading principles for engagement. Our guiding principles are accountability, best use of assets, co-existence, efficient processes, evidence based, equity, participation of all stakeholders and shared commitment in a way that we can maximise the benefits to South Australians of our rich endowment of natural resources.

It is therefore important that we encourage the view that multiple land use is desirable and in the best interests of all South Australians. Yes, it is a balance, but it is a balance that is backed by good policy shared with the South Australian community for their feedback which allows us to embrace world's best practice here at home.

In the absence of good policy the community is vulnerable to misinformation and scare campaigns. Good policy designs demand leadership, and unfortunately there are those who released no resources and energy policy before the election and no resources policy since the election. Where there is a policy vacuum—

Members interjecting:

The Hon. A. KOUTSANTONIS: —petty populism—

Mr GARDNER: Point of order.

The SPEAKER: I imagine that the member for Morialta is distressed by the level of interjections, as I am.

Mr GARDNER: Well, that, and 98.

The SPEAKER: The solution to a minister debating and the opposition roaring at him is to let the play flow. Minister.

The Hon. A. KOUTSANTONIS: Where there is a policy vacuum petty populism is given free reign, flapping around in the breeze to be carried by the chill winds of Lock the Gate and Right to Farm propagandists. And so it has been left to Liberal MP Rowan Ramsey, the federal member for Grey, to come up with his own policy on a fundamentally state's rights issue.

So what is the Liberal member for Grey proposing? In his seven page discussion paper—seven more than the Leader of the Opposition—the rural Liberal MP for South Australia has devised the Rowan Ramsey rural ransom option. In a sop to the Lock the Gate and Right to Farm movement, he suggests resource companies should be forced to pay a protected minimum offer when seeking access to land.

The Ramsey rural ransom option sets the PMO minimum offer at three times an independent valuation of the property—three times the value of the independent valuation—being a big chunk of money up-front, the member for Grey argues, to landowners who are willing if not enthusiastic to relinquish their properties. Landholders, he says, know they are being generously rewarded by the tripling of their wealth.

For properties alongside mining projects, Mr Ramsey wants minimum setbacks of one kilometre from the mining activity with farmers paid a comparable minimum offer on affected paddocks. Obviously, the member for Grey believes all resource companies are cashed up and are able to dole out money willy-nilly to overcome their access issues. My experience, our experience, of dealing with the resources companies is that this is not the case, and many resource companies in this state are junior explorers and mid-tier producers who, like many farmers, struggle each year doing what they love.

I appreciate that many landowners in this state have a deep connection with their land. Quite frankly, however, this policy cheapens that connection and reduces it to a simple formula bias towards a big pay day.

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

Mr Whetstone: A big pay day? You've got to be kidding. You are a joke! Fracking in your backyard.

The SPEAKER: The member for Chaffey is called to order. Leader.

EMERGENCY SERVICES LEVY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:23): Thank you very much, Mr Speaker. My question is to the Minister for Emergency Services. Will the minister give a commitment to the house that the government will not raise the emergency services levy again in the Mid-Year Budget Review in order to cover the financial cost of the Pinery bushfire and other potential fires in the future?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:24): Since the Liberal Party introduced the emergency services levy there has never been an increase in the Mid-Year Budget Review, and the architects of the tax sitting opposite should know that.

Ms Chapman: How about an answer?

The Hon. A. KOUTSANTONIS: I am giving you an answer.

The SPEAKER: The deputy leader is warned.

The Hon. A. KOUTSANTONIS: You've got 13 votes, it's okay.

The Hon. J.J. Snelling: She's got a majority?

The Hon. A. KOUTSANTONIS: Oh, yeah, it's over.

The SPEAKER: The Treasurer will return to the substance of the question.

The Hon. A. KOUTSANTONIS: Since the Liberal Party, the architects of this tax, introduced it, there has never been an increase in the ESL, to my knowledge, in the Mid-Year Budget Review but, of course, if they can provide the evidence that there has been, I will stand corrected. The ESL is calculated every year in a way that the Liberals designed it, and the way they designed it—

Mr Pisoni interjecting:

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

The Hon. A. KOUTSANTONIS: —the architects of this tax, is that they work out the total budget of what it costs to deliver our emergency services every year and then they retrospectively set a rate according to property values to raise the money necessary to fund the emergency services. The reason they introduced this tax when they were last in government is that people were underinsuring. Because they were underinsuring, the Liberals opposite felt the need to introduce the emergency services levy to cover the cost of providing emergency services in our rural areas.

What they did, quite sensibly, was offer regional communities discounts in terms of their distance from metropolitan Adelaide. If you live in regional communities outside of Adelaide, you get a 20 per cent discount; if you live outside those regional centres, you get a further 50 per cent discount; and, if you don't live in an incorporated area, you get a 90 per cent discount. On top of those discounts, they want to offer a further remission, and they offer that to people who, quite frankly, understand the need and the value of the emergency services levy because they are the people who see it in effect every year. They are the ones who see their volunteers in their regional communities having state-of-the-art equipment, PPE, health coverage that they deserve in terms of work health entitlements and, of course, the latest backup with aerial bombing and the like. All of that, of course, costs money.

What members opposite are asking us to do is use our other source revenues (payroll tax, land tax, our other source revenues) to subsidise that. They want the business community—the party of business—to pay more so their constituents can pay less. I think that is, quite frankly, an unfair way of doing that. Of course, I would have thought the architects of the emergency services levy

would have known exactly how it operates but, of course, when the remissions were first removed, given that members of the Economic and Finance Committee who were on the opposition benches (like the member for Unley) didn't read the report leading up to it and didn't realise—

Mr PISONI: Point of order, sir. The minister is debating the substance of the question and imputing improper motives to other members.

The SPEAKER: What is the improper motive? Could you state it?

Mr PISONI: That I did not read a report in my role as a member of the Economic and Finance Committee.

The SPEAKER: I do not follow the member for Unley's reasoning on the second point. On the first point, I uphold his point of order. The Treasurer.

The Hon. A. KOUTSANTONIS: What the member for Unley would have us believe is that he got hold of the Economic and Finance Committee report—

Mr PISONI: Point of order, sir. The minister is debating the substance of the question.

The SPEAKER: I am sorry, member for Unley?

Mr PISONI: Debate, sir. Referring to me is purely debate.

The Hon. A. KOUTSANTONIS: What the opposition would have us believe, Mr Speaker, is that when the remissions were removed they received it in an Economic and Finance Committee report in advance of the budget, read it and kept it secret until the budget.

Mr VAN HOLST PELLEKAAN: Point of order, sir. I ask you to bring the Treasurer back to the substance of the question, which is: does he intend to increase the ESL in the wake of the Pinery fire? It has nothing to do with the Economic and Finance Committee.

The SPEAKER: My understanding is that, if you are going to increase the ESL, that would go to the Economic and Finance Committee, so I would have thought it is germane. Treasurer.

The Hon. A. KOUTSANTONIS: I am just waiting for the new deputy leader to make a statement.

The Hon. J.J. Snelling: He'd be a better leader.

The Hon. A. KOUTSANTONIS: No, he'll be deputy.

The SPEAKER: The Treasurer will not bait the member for Stuart.

Mr VAN HOLST PELLEKAAN: Sir, before it goes to the Economic and Finance Committee, the Treasurer would have to decide if that was his recommendation and what his wish was going to be. That is what the question was about.

The SPEAKER: All the member for Stuart is now doing is arguing. I ruled that the Economic and Finance Committee is relevant in an answer about whether the ESL is going to be increased, and I stand by that ruling, and I won't have any more dissent from it. Treasurer.

The Hon. A. KOUTSANTONIS: Thank you very much, Mr Speaker, and I will explain to the future deputy leader, because he will probably take the role on the Economic and Finance Committee, that there are—

The Hon. T.R. Kenyon interjecting:

The SPEAKER: The member for Newland is warned.

The Hon. A. KOUTSANTONIS: I have said this before and I will say it again. The architects of this tax, the parents of this tax, the people who invented this tax, know that there were never increases to the ESL in MYBRs.

EMERGENCY SERVICES LEVY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:29): Supplementary: will the Treasurer rule out any increase in the ESL to cover the Pinery bushfires in next year's budget?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:29): This government never rules anything in or out—it never has. In fact, I don't rule out—

Members interjecting:

The Hon. A. KOUTSANTONIS: —a decrease in the ESL. I can't guarantee—

Members interjecting:

The Hon. A. KOUTSANTONIS: —it, no more than the Leader of the Opposition can guarantee he'll be in the job come Christmas! No more than he can guarantee he'll be in the job come Christmas! Because he's got his loyal deputy, and he's got the tallest man in the world—

Members interjecting:

The Hon. A. KOUTSANTONIS: —with the highest personal vote in the state. The highest personal vote in the state! You don't just get that by being a pretty face! Not just a pretty face. There's a bit of substance there too.

Mr GARDNER: I'm happy to bet all of the money in my wallet against all of the money in the Treasurer's that he is debating.

Members interjecting:

The SPEAKER: In the words of Captain Louis, why would we close it down since everyone is having such a good time?

Members interjecting:

The SPEAKER: Is the Treasurer finished?

The Hon. A. KOUTSANTONIS: No, sir. I have another three minutes; I have another three minutes of this.

Members interjecting:

The Hon. A. KOUTSANTONIS: The opposition leader obviously fundamentally misunderstands his own party, so perhaps he should speak—

Members interjecting:

The Hon. A. KOUTSANTONIS: —to the architects of this tax. The architects of this tax are his shadow treasurer, the Hon. Rob Lucas, in another place—the man who sat in the cabinet room when this tax was devised, and the party president at the time of this tax being devised, the current deputy leader, who is on to bigger and better things very, very soon, I understand. Perhaps it's time to leave; perhaps it's time. But that's not a matter for me because, I have to say it, Mr Speaker, the only thing better than beating Steven Marshall once is beating him twice, but, unfortunately, we might not get the chance. All I can say is that the architects of the tax should go to their caucus room and speak to the architects of this tax to understand how it's implemented.

Members interjecting:

The SPEAKER: If the opposition wants me to uphold a standing order 98 point, then they should come to the point of order with clean hands by being silent but, instead, they roar at the Treasurer and egg him on.

Mr Goldsworthy: He's auditioning.

The SPEAKER: He may be auditioning; he may be.

Members interjecting:

The SPEAKER: However, before the Treasurer's provocation gave all opposition members benefit of clergy, as far as I'm concerned, to interject, there were offences and I call to order the members for Mount Gambier, Mitchell, Hammond and Wright. I warn the member for Mount Gambier and I warn the Treasurer for using the member for Dunstan's Christian and surname.

Ms Chapman: And calling you ugly.

The SPEAKER: Really?

Ms Chapman: That you didn't have a pretty face, remember?

The SPEAKER: No.

Mr Marshall: And he was wrong, sir.

The SPEAKER: If it's on *Hansard*, I will do something about that. The leader.

MOBILE BLACK SPOT PROGRAM

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:33): My question is to the Minister for Emergency Services. Will the minister commit to providing funding for the federal mobile phone Black Spot Program, as requested by his federal colleague Nick Champion?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:33): I think the opposition would have cleaner hands on this if they wrote to their colleagues asking them not to make cuts to funding to the communications portfolio where the current Prime Minister oversaw dramatic cuts to the rollout of mobile phone towers. What Nick Champion is doing, like a good local MP, is looking to any source possible to try to get mobile phone coverage for his electorate.

Perhaps rather than trying to score a cheap political point in the last dying days of his leadership, perhaps the opposition leader could have written to me in advance saying, 'Why don't we go in together? I'll speak to my colleagues in Canberra. You put up some money and let's try and get some more of this.'

Instead, what he does is he wants to lock in those cuts made by the commonwealth government to South Australia and he wants South Australian taxpayers to pick up those cuts made by the commonwealth government. And, of course, how do we fund that? We fund it through payroll tax receipts, through land tax receipts, through stamp duty receipts.

While he is calling for tax cuts, he wants us to increase spending while the commonwealth government makes cuts to their own expenditure in areas of their own responsibility. Quite frankly, he has no policies at all. He has no credibility at all on this. He is more like Tony Abbott and nothing like Malcolm Turnbull.

Mr GARDNER: Point of order, sir.

The SPEAKER: Point of order!

Mr GARDNER: Debate.

The SPEAKER: I uphold the point of order. Member for Morphett.

COUNTRY FIRE SERVICE VOLUNTEERS

Dr McFETRIDGE (Morphett) (14:35): My question is to the Minister for Emergency Services. Due to the high risk of asbestos contamination from older homes and farm buildings in the Pinery fire, have all CFS volunteers who attended the fire been given a second clean set of personal protective clothing (PPC); and, if not, why not?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:35): I thank the honourable member for his question. As the honourable member would be aware, we've programmed over a number of years to give volunteers a second set of protective clothing and that will be rolled out.

That is not news: that was actually in the budget papers and we stand by our budget decisions. In terms of any occupational health and safety risk, that would be assessed at every location and I have the greatest confidence in the CFS management and the CFS volunteer structure to ensure that any volunteer is protected.

COUNTRY FIRE SERVICE VOLUNTEERS

Dr McFETRIDGE (Morphett) (14:36): Supplementary: given that answer, can the minister tell the house, have the CFS volunteers had their trucks professionally cleaned in case of contamination?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:36): I thank the honourable member for his question. As I advised—and as I have said a number of times in this chamber—the CFS management is responsible for the welfare and safety of all employees, whether they are paid or volunteers. I have no doubt, and I have the utmost confidence, that any measure required to keep them safe will be undertaken. That includes any cleaning of trucks. They would not knowingly send any person to do a job that is unsafe.

Mr Gardner: He's more concerned about washing his hands than their clothes.

The Hon. A. PICCOLO: No, I'm not washing my hands.

Dr McFETRIDGE: Further supplementary, Mr Speaker.

Mr Goldsworthy: Sit down!

The SPEAKER: The member for Kavel will not tell the minister to sit down and he is called to order.

METROPOLITAN FIRE SERVICE

Dr McFETRIDGE (Morphett) (14:37): Can the minister tell the house whether all MFS firefighters have had a second set of clean PPC and had their trucks cleaned? Can they maintain the clean cab policy?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:37): As I have said, there is budget provision for a second set of protective clothing, and I am actually quite proud to say that we have actually put that in the budget this year to make it happen.

MOBILE BLACK SPOT PROGRAM

Mr DULUK (Davenport) (14:37): My question is also to the Minister for Emergency Services. Has the minister made any representations to his ministerial colleagues for South Australia to receive commonwealth government funding under the mobile Black Spot Program for bushfire-prone areas in the Adelaide and Mitcham Hills?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:38): I will get a detailed answer for the member and find out for him.

COUNTRY FIRE SERVICE

Dr McFETRIDGE (Morphett) (14:38): My question is again to the Minister for Emergency Services. Following the breakdown of emergency radio transmissions during the Pinery fire, will the government install automatic vehicle location on CFS fire appliances as a matter of urgency? Will he also release the business case for installation of AVLs in CFS trucks?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:38): I've answered this question on at least three occasions and I stand by those answers.

Ms Sanderson interjecting:

The SPEAKER: The member for Adelaide is called to order. The member for Morphett.

GOVERNMENT RADIO NETWORK

Dr McFETRIDGE (Morphett) (14:38): Supplementary: can the minister guarantee that the new mobile phone based emergency response technology, Intergraph, being installed by the

Metropolitan Fire Service, will cope in heavily congested areas and with heavy call numbers such as the Pinery fire?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:39): I am confident that the resources we've put into communications and other services will be used to our best ability to make sure everybody is safe.

GOVERNMENT RADIO NETWORK

Dr McFETRIDGE (Morphett) (14:39): Further supplementary, again to the Minister for Emergency Services: given the minister's answer, can the minister guarantee that the public won't be put at risk because of mobile phone blackspots, given that Intergraph is reliant on mobile phone technology? How will the MFS respond where there are mobile phone blackspots?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:39): I thank the honourable member for his question. One of the key jobs, whether it is the MFS chief officer, the CFS chief officer, the SES chief officer or, in fact, any emergency person, is to manage risk responsibly and I have no doubt they will do that.

COUNTRY FIRE SERVICE VOLUNTEERS

Mr TRELOAR (Flinders) (14:40): My question is to the Minister for Emergency Services. Minister, why have dedicated and long-serving Eyre Peninsula CFS volunteers had their grant applications for on-farm firefighting units denied?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:40): This time last year I announced the fire farm unit scheme. It is the first time any government has introduced such a scheme, so I am quite proud of the scheme. Also, we put up \$2 million over four years to invest because we recognise the important role that fire farm units play. We had a scheme. The scheme was oversubscribed. We had over 1,000 applications. It was interesting that at the time I announced the scheme it was actually derided by some members opposite that nobody would be interested and nobody would apply. It was actually—

Members interjecting:

The Hon. A. PICCOLO: Your suggestion? Yes, right. Yes, okay.

Members interjecting:

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

The Hon. A. PICCOLO: I am more than happy to explain to the house how the idea came about. In fact, it was actually some CFS volunteers. I spoke to them about the Bundaleer fires, before I became minister, and they spoke to me about the important role of fire farm units. There were between 50 and 70 and I spoke to them. The other factor—

Members interjecting:

The SPEAKER: The member for Stuart is warned.

The Hon. A. PICCOLO: The other factor that was very important was, unfortunately, the loss of a firefighter, a CFS firefighter, who was a farmer around the Balaklava area. That really brought home the importance of having safe conditions for fire farm units. So, part of that scheme is actually about safety for fire farm units. The fact that some people weren't successful this time—I would encourage them to apply. We are committed to this scheme. I think it is a great scheme and the fact that over 1,000 applications were received shows how much support this scheme had. Unfortunately, with priorities, some people missed out.

Having said that, a lot of grants were made, which were recommended to me by an independent committee. I accepted in full their recommendations, which included the volunteer association, in terms of who should get the grants and who shouldn't. They targeted those areas of

high risk, including places around Mount Remarkable, etc. We looked at both what is available on the ground and what the risk is. We just didn't have the resources to cover the program one year, but I am committed to it and I think it is a good scheme.

FAMILY BUSINESSES

Ms DIGANCE (Elder) (14:42): My question is to the Minister for Small Business. Minister, can you update the house on the achievements of South Australian family businesses?

The SPEAKER: The member for Chaffey is warned.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:42): I thank the member for Elder for her question and also acknowledge her attendance, in my absence, at the Family Business Australia Hall of Fame dinner. The government, like the member for Elder, recognises the important role that family businesses play in contributing to the overall strength of the South Australian economy. I grew up in a house that was mortgaged to support the family business, so I have seen the stresses, I have seen the barriers, I know the impacts of state taxes and government decisions on those seeking to grow a business, and I know of the need for a positive government backing business.

It is because of the thousands of small businesses and their owners across this state that the government continues to do all it can to help business grow, invest and create jobs, and thanks in no small part to the advocacy of the member for Elder. Our government's most recent budget was all about supporting the great South Australian family businesses that I wish to acknowledge today. At the recent Family Business Australia Hall of Fame dinner, two South Australian family businesses were inducted into the Hall of Fame which exemplified the spirit of family owned and operated enterprises. The Family Business Australia Hall of Fame has been operating—

Members interjecting:

The Hon. A. KOUTSANTONIS: This is just typical, isn't it? The member for Mitchell attacking the investment and the risk taken by an entrepreneur. It is just typical of their lack of understanding, from someone who has never run a small business. He has never run a small business yet has the gall to get up and attack the member for Elder.

The Family Business Australia Hall of Fame has been operating since 2002 and currently includes 40 South Australian family businesses, such as Beerenberg, Coopers, Phil Hoffmann Travel, Seeley International and San Remo but, alas, not yet the Wokinaboxes owned by the member for Dunstan. The aim of the hall of fame awards is to celebrate the achievements of the family business sector and to acknowledge the critical role family businesses play in supporting the South Australian economy and communities.

Members interjecting:

The Hon. A. KOUTSANTONIS: You will have some more time to get to those businesses soon. In 2015, Family Business Hall of Fame inductees announced at the dinner were:

- Sar Major Canvas Goods and Trailers—a family-owned business since 1953 manufacturing trailers, camper trailers and a wide variety of PVC and canvas products; and, of course,
- D'Arenberg Wines—established in 1912, and is now one of the most significant wineries in McLaren Vale. D'Arenberg currently exports to over 60 countries, with significant market presence in China, the United Kingdom, the United States and Canada.

South Australia must reward the risk takers, the entrepreneurs and the small business owners across the state who seek to carve out a better future for themselves, the community and our state. We must ensure that we do more to ensure that great South Australian businesses can continue to flourish here and across the globe.

I ask all members to join with me in congratulating both the inductees and thank them for their important and unique contribution to the South Australian economy and, most importantly, for the risks they have taken—and, of course, the burden that a lot of their families bear in the stresses

of running small businesses. That is why we are doing as much as we can as a government to cut those taxes. While the opposition suggests we cut the taxes of the wealthiest South Australians, we want to cut the taxes of the entrepreneurs, the risk takers, the doers—those who are investing in our economy, not those already wealthy.

Members interjecting:

The SPEAKER: The members for Davenport, Schubert and Elder are called to order. The member for Mitchell is warned for the first time and the member for Chaffey is warned for the second time.

CORRECTIONAL SERVICES DEPARTMENT

Mr GARDNER (Morialta) (14:46): My question is to the Minister for Correctional Services. Why has the number of employees in the department of corrections earning in excess of \$141,000 a year increased from seven to 23 in the last 12 months, according to the annual report tabled today?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:47): I will confirm the figures, but my recollection from being briefed on this from the chief executive officer was that there were a number of people because of obviously the additional offenders we have and additional overtime—some of that component actually deals with overtime amounts as well. So some people actually go into that figure as a result of overtime. If that's not correct, I will get back to the member, but that is my understanding.

CORRECTIONAL SERVICES DEPARTMENT

Mr GARDNER (Morialta) (14:47): Supplementary to that: in relation to those staff members who are on over \$140,000 as a result of overtime, can the minister identify what the full-time salary is for those officers?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:47): I know I should know the name and salary of every officer in the correctional services system, but I don't know. What I can say, though, is that we try to manage it to make sure we keep that to a minimum, and I am confident in the CE doing that. But I can get the specific details for the member.

CORRECTIONAL SERVICES DEPARTMENT

Mr GARDNER (Morialta) (14:48): Supplementary to that: can the minister identify how many prison officers are achieving the amount of overtime this financial year that would have them earning over \$140,000 in the current year? If you are getting it all back, then can you get that as well?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:48): Sorry, did you say this financial year?

Mr GARDNER: The current one, so far.

The Hon. A. PICCOLO: I will have to get that information for him.

INDIGENOUS INCARCERATION

Mr GARDNER (Morialta) (14:48): My question is to the Minister for Correctional Services. Why does South Australia have the second highest rate of Aboriginal imprisonment in Australia of all states? According to the ABS Corrective Services September quarter statistics released today, more than 2.5 per cent of South Australia's Aboriginal and Torres Strait Islander population are in prison, well above the national average and second only to Western Australia, one of only three states where this rate didn't decrease this year.

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) (14:49): The question of Aboriginal incarceration is a very, very serious problem, and it is something that, as a nation, we really need to

be very concerned about. It is true that there are very high numbers of Aboriginal people incarcerated. In fact, the chances of a person of Aboriginal extraction being incarcerated is approximately 10 times the chance of anybody else who is an Australian citizen being incarcerated, so that is some indication of how seriously unacceptable that is.

Of course, the question as to why these people are in prison is not so much a question about the corrections system; it's a question about the way our society as a whole for centuries has managed to interact with Aboriginal people. The disadvantage, the deeply entrenched disadvantage, in Aboriginal society, Aboriginal communities, which is becoming an intergenerational problem—and it has been for a long time—where people don't have work, they don't have educational opportunities, they don't have role models, which are being constructively engaged in the community, and of course this causes tremendous misery.

It is true that in South Australia, as indeed I think is the case in Western Australia, things many years ago were perhaps not policed in the way they are now, like, for example, domestic violence. All of us would know there was a time when domestic violence was treated as something that goes on inside the house and it's not really our business. The fact is that when Aboriginal people are involved in domestic violence these days, to the credit of the police force they do actually get involved and they do arrest the offenders, and those offenders are charged, and those people who are charged and convicted wind up often in prison.

There are many factors at work here. I think all of us as South Australians, as Australians generally, need to have a very good look at how we can completely transform the experience of being an Aboriginal in the 21st century in this country and see if we can't find ways where we can actually give people positive directions, positive role models, and opportunities to have an aspiration in life which is broader than it presently is.

It's a tragedy, but I make the point again. I can tell you this: a couple of years ago, I remember speaking to the then Western Australian attorney-general, Mr Porter, who now, as we know, is a federal minister.

The Hon. J.J. Snelling: A very, very good minister.

The Hon. J.R. RAU: He is very, very good minister and he was a very, very good attorney.

The Hon. J.J. Snelling: You're a particular fan.

The Hon. J.R. RAU: I have a great deal of respect for Mr Porter. Mr Porter made a point at a federal council meeting of attorneys, where he said, 'Before you go around criticising us for the levels of incarceration of Aboriginal people in Western Australia, just bear in mind that many of those people are people who the police previously did not even investigate, offences involving these people because they were in communities. Since we've been policing those communities properly, we have been finding these offenders, we have been prosecuting them.' The other measure that he said we should have regard to is the measure of victimhood and how much safer people feel because these people are not in those communities. It is a very complicated problem.

INDIGENOUS INCARCERATION

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:53): Supplementary: can the Attorney-General outline to the house what active steps the government is taking to honour their commitment to Reconciliation South Australia, and the broader Indigenous community in South Australia, to invest in justice reinvestment programs in South Australia, this commitment made prior to the last election?

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) (14:53): I thank the Leader of the Opposition for that very important question. The fact is that I am very keen to be able to support a justice reinvestment program which will actually make a difference for Aboriginal people. Nobody would be happier than me to be a supporter of that. But can I just tell the parliament a little story, just a very small one?

Members interjecting:

The Hon. J.R. RAU: I'll just tell you a little story. In the United States, not that long ago, some well-meaning people who were trying to deflect juvenile offenders out of a career in crime came up with a terrific program, and that program involved taking those juvenile offenders into high security prisons, sitting them in rooms with high security, dangerous criminals. The idea was that these young offenders would be so confronted by what they saw with these hardened criminals they would go, 'Whoa! Not for me, I'm out of this. I'm going to get myself a job and get a good education.' What happened? I will tell you what happened. That program made people worse. My point being that when somebody can come to me with a program which has empirical proof that it makes a difference and not just makes somebody feel good—

Mr Marshall: Why did you commit to doing something then?

The Hon. J.R. RAU: I committed to doing something which will make a difference and as soon as—

Mr Marshall interjecting:

The Hon. J.R. RAU: Can I finish answering the question?

Members interjecting:

The SPEAKER: The leader is called to order and the deputy leader is warned for the second and final time. The member for Mordialta.

The Hon. J.R. RAU: I haven't finished. I just needed your protection, Mr Speaker, because I was being caterwauled at.

The SPEAKER: I am sorry. I was dealing with another member.

Members interjecting:

The SPEAKER: Did I hear someone who is on two warnings? Accordingly, I transfer the second warning to the member for Newland. It's a far, far better thing he does. The Deputy Premier.

The Hon. J.R. RAU: We are presently in the process of seeking submissions or proposals from organisations that believe that they have programs which are capable of being demonstrated empirically to make a difference, and if and when we come up with a proposal that can be proven to make a difference, we will proceed with it. However, just as it is important to do these programs, I am not doing anybody a service by spending taxpayers' money on a program which is somebody's work of love and somebody's heartfelt personal project, but which does not actually make any practical difference except potentially employ that person to do that thing for a while—that is the point.

DOMESTIC VIOLENCE

Mr GARDNER (Mordialta) (14:57): My question is to the Minister for Correctional Services. How many domestic violence offenders will the government deliver the domestic violence treatment cognitive behavioural program to in the current financial year?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:57): What I can advise is that we are actually trying to reallocate some resources within the agency to achieve a higher outcome this year. I don't know the exact figures. They are still working on it, but I will bring that figure to the member.

An honourable member interjecting:

The Hon. A. PICCOLO: No, it won't be zero.

DOMESTIC VIOLENCE

Mr GARDNER (Mordialta) (14:57): Supplementary: given that the answer to the question on notice the minister provided yesterday to the house suggested that there were 300 program hours to be delivered this year, which is about double last year's which had eight prisoners going through it—

The SPEAKER: The member for Mordialta will ask a question.

Mr GARDNER: Can the minister confirm that that is in the order of the number of prisoners who are going to receive the program?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:58): I stand by the comment I just made. I said we are trying to reallocate some resources. I was advised by the CE that they are working on it at the moment and, when I receive more definitive advice, I will pass it on to the member.

DOMESTIC VIOLENCE

Mr GARDNER (Morialta) (14:58): Does that mean reallocate resources from within other offender programs, so within the scope of the 80 or so offender rehabilitation programs that will be delivered this year?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:58): My understanding is that it will be from across the agency and we will be prioritising our programs. As I said, they are just working on the program at the moment and I am happy to let you know.

DOMESTIC VIOLENCE

Mr GARDNER (Morialta) (14:58): Supplementary: how many domestic violence-related offenders are currently in our prison system? How many offenders of offences related to domestic violence are currently in our prison system?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:59): I don't have the exact figure with me. The other thing is that it is actually difficult to get an exact figure because a number of offenders may come in with a number of offences and another offence may be the one it is recorded against, but if it is solely domestic violence and we can get the figure, then I will share that with the member.

PINERY BUSHFIRES

Mr GEE (Napier) (14:59): My question is to the Minister for Communities and Social Inclusion. When will the Pinery bushfire recovery centre open and where will it be located?

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) (14:59): I thank the member for this question. During the devastating Pinery bushfire, the government established three emergency relief centres in Balaklava, Clare and Gawler, in order to provide the affected communities with accommodation and financial support. The focus has now shifted from relief to recovery. An accessible site has been selected to host the recovery centre from the Pinery fire at the Gawler TAFE on High Street, which will open on Monday 7 December. This will complete the transition of our efforts from relief to recovery.

The recovery centre will be a central place for the community to meet, access information and advice and seek support. This facility will also be the base for local recovery coordinator, Vince Monterola, who has been appointed to work alongside communities affected by the fire. Mr Monterola has hit the ground running in this role and I want to thank him for the important work that he has done helping devastated communities impacted by this fire.

A series of community meetings will be held in the affected area from today. All members of the community are encouraged to attend the meetings, which are an opportunity for people to meet together, discuss issues and hear the latest information. Representatives from state and local government will be in attendance, along with other organisations offering help and support. The meetings will be facilitated by the local recovery coordinator and be held today at Mallala in the Mallala Institute from 4pm to 5pm and at Hamley Bridge in the recreation centre at the Hamley Bridge Football Oval, 6pm to 7pm. There is also a community meeting on Monday 7 December in Freeling at the Freeling Recreation Park at 6pm.

For further information about the meetings, we encourage people to call the fire recovery hotline on 1800 302 787. Further fire recovery information is available www.sa.gov.au/recovery. A

mobile recovery centre will be established at Light Regional Council at Kapunda from next week. The address is 93 Main Street, Kapunda. The mobile recovery centre will commence at the council from 1pm to 5pm next Thursday 10 December. It will be a weekly service thereafter with the exact day and time each week yet to be finalised. We have looked to establish also another one in Hamley Bridge from 14 December.

By having an outreach and a mobile service, it is a way that we can provide as many services to people as possible to ensure that people who do not wish to attend the recovery centre can still be supported as much as possible. Can I note that through the recovery period the Clare relief centre has now closed and the Balaklava relief centre will close at 7pm tomorrow, 4 December.

FUNDS SA

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:03): My question is to the Treasurer. Given the Funds SA balanced fund earned 9.4 per cent last year and its objective for this year is 6.5 per cent, does the Treasurer accept that his statements last week on the earnings of the superannuation funds are plainly wrong? Last week the Treasurer was told on radio that the super funds were earning more than 6 per cent. He responded:

I'd like to see the evidence you can back that up that in 2014-15 and projected 2015-16, super funds are returning 6 per cent on average. That is a very big call for you to be making on the ABC.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:03): Yes I do, because what Mr Cook—

Ms Chapman: Do you agree it was plainly wrong?

The Hon. A. KOUTSANTONIS: No, I don't agree it was plainly wrong. I stand by my statements. What Mr Cook was attempting to sign me up to was that we would agree in perpetuity to getting this ridiculous return on our investment every year, and if we did not, the people at risk would be the taxpayer. Funds SA have done very well this year and they plan to do well next year. To guarantee a dividend to government every year across the forward estimates and beyond would require a 5 per cent return minimum for the Motor Accident Commission. That is unacceptable. It is an unacceptable risk to the taxpayer and it is an unacceptable risk to the budget, and I cannot believe that members opposite—I call out to the younger members who are more fiscally conservative, retake your party They are governed by leftist socialists. They are governed by people who don't like mining—

Ms CHAPMAN: Point of order.

The Hon. A. KOUTSANTONIS: —believe in magic puddings—

Ms CHAPMAN: Point of order.

The Hon. A. KOUTSANTONIS: —want to increase taxes. Retake your party. He's looking down with shame.

The SPEAKER: There is a point of order.

Members interjecting:

The SPEAKER: Point of order! Deputy leader.

Ms CHAPMAN: That is plainly debate and insulting at the same time.

The SPEAKER: Yes, I uphold the point of order.

Ms CHAPMAN: Thank you.

The Hon. A. KOUTSANTONIS: Mr Speaker, I stand by my remarks. My job as Treasurer is to protect the taxpayer. I will not allow ever again as Treasurer an unfunded liability to occur within the Motor Accident Commission, and we are out of that business as of 1 July next year, and that is a good thing for the taxpayer. It is a great thing for motorists because they will get more money spent on infrastructure and they will have choices in their insurance, and why the opposition would be opposed to outsourcing to the private sector a government monopoly rather than letting the private

competition or the private sector flourish is beyond me. I cannot believe the Liberal Party has gone back to being agrarian socialists, but then again Ian Macfarlane has joined the National Party, so who knows what is next.

WOMEN IN POLICING

Ms WORTLEY (Torrens) (15:06): My question is to the Minister for Police. Minister, can you advise the chamber of the important milestone for South Australia Police that was reached on Tuesday of this week?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:06): I would like to thank the member for Torrens for her question and also acknowledge her contribution and what she has done for women in the workforce and particularly women police in the workforce.

Tuesday this week marked a very special milestone for South Australia Police—100 years of women in our police force. Celebrations kicked off with a march through the streets of Adelaide from police headquarters in Angas Street to Government House. The South Australia Police Band, the mounted police, historical uniforms and 300 women in policing participated in the parade.

I was proud to attend the reception at Government House to recognise and further celebrate this historic occasion, and the member for Morialta was also present. While there I had the pleasure of meeting 94-year-old Joyce Richards. Joyce answered an advertisement for women police in 1944, and her career started by instructing shorthand, typing and Judo and weekly instructions in law.

At that time there were only 25 to 30 women employed in SAPOL, and Joyce was the first female police officer to attain the rank of sergeant. Joyce held the position of Principal of the Women's Police Branch from 1966 to 1974 when women went into uniform and the position of Principal was abandoned. Also there on the day was Dorothy Pyatt who is 96 years old. She was a member of the Women's Police Branch and worked with Joyce.

It was a very proud moment to be sharing that special day with them. With female officer numbers within SAPOL now nearing 1,300, women are influential in senior management and specialist positions right through to the front line. This has grown due to SAPOL's progressive approach to expanding the range of opportunities for women in policing.

Earlier this year the government appointed Linda Williams who became our first female deputy commissioner and highest-ranking female officer, and an outstanding deputy commissioner she is. The whole South Australian community can be proud of our police and the important contribution women have made and will continue to make.

KEOGH CASE

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:08): My question is to the Attorney-General. Has the Attorney-General now made inquiries as to why the report dated 22 November 2004 from Professor Vernon-Roberts was not disclosed to Henry Keogh's legal representatives until 5 December 2013?

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): Yes.

KEOGH CASE

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:08): Supplementary: having made those inquiries, will the Attorney-General indicate to the house why that report was not produced and, further, why the recommendation that the haemosporidian tests be conducted were not carried out?

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) (15:09): Well, I am grateful for that question. I am waiting for the answer, actually. I did ask the question. What I have done is to take the last question that was asked about this and make it clear that I wanted to have, to the extent I

could have, an answer to that. I am not entirely sure that the deputy leader might not have added an extra little element in that question she has just asked then that was not included earlier. And, if that is the case, I will ask that too, but I am still waiting.

KEOGH CASE

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:09): Supplementary: who have you asked?

The SPEAKER: Surely 'whom' has he asked?

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) (15:09): There are two people I have in my mind. One is the Solicitor-General and the other is the Director of Public Prosecutions. I can't remember whether I have asked one or both of them, but I know I have made the inquiry. How that has been processed, I'm not sure.

I gave instructions in my office that I wanted an answer to this thing. I said, 'Find the deputy leader's *Hansard*, when you find her *Hansard*, go through it and find this particular bit,' because there is a lot, 'and I want answers to these questions'. That is how I framed it, and I understand it is going to one or other or both of them.

SCHOOL PROGRAMS

Mr PISONI (Unley) (15:10): My question is to the Minister for Education and Child Development. Will non-government schools continue to be supported by the department in the same way as public schools under the amalgamation to a single project officer's role for the Premier's Reading Challenge and the Premier's Be Active Challenge?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (15:10): I am not aware that there are any expectations of change between non-government and government schools but I will confirm that and return to the house if that is the case.

SCHOOL PROGRAMS

Mr PISONI (Unley) (15:11): Supplementary, sir: is the minister aware that the advertisement online for this position specifically mentions that the position is only for DECD schools?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (15:11): No, I wasn't aware. I haven't been combing the job pages.

PUBLIC TRANSPORT

The Hon. S.W. KEY (Ashford) (15:11): My question is directed to the Minister for Transport and Infrastructure. Minister, can you update the house on a recent milestone in the state government's investment in public transport?

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) (15:11): This past week marks the 10th anniversary of the first tranche of the new trams being delivered here to Adelaide. In November 2005, Flexity tram 101 was delivered from Outer Harbor and unloaded in Victoria Square. I am advised that Flexity 102 followed a few hours later and, after a period of commissioning and testing, both trams entered regular passenger service in January 2006. Progressive delivery of our 15 Flexity and six Citadis trams continued through to 2012, providing South Australians with an expanded modern fleet as part of the state government's record investment in public transport infrastructure.

The 15 Flexity trams quickly marked up one million kilometres of service running by 2008 as passengers flocked to use the new fleet. Members may be aware that, in addition, six Citadis 302 class trams were purchased by the state government from Madrid Transport, as European cities cancelled major transport projects during the global financial crisis. Globally, these tram models

prove both popular and efficient, with over 1,000 Citadis trams operating in nine different countries and 700 Flexity trams operating across eight different countries.

Improvement of our public transport network has been a regular topic of discussion—on this side of the house, at least, the only side that brought a transport policy to the last election. Members would recall how controversial the extensions were, first, to the Adelaide Railway Station and then to the Entertainment Centre. They were vociferously not supported by the shadow minister for transport at the time (I believe, the member for Morphett) and I believe they have been described by the current member for Adelaide as being responsible for killing business, despite the rejuvenation of what we have seen down the West End of our city, particularly along North Terrace.

However, despite those knockers, they have been enormously popular with commuters. Our combined fleet of 21 trams is quickly nearing the five million kilometre milestone as the popularity and interest in tram networks grows nationwide, and I am particularly pleased that we have got reinvigorated interest at the federal level as well. This five million figure equates to approximately 166,000 return services from Glenelg through to the Entertainment Centre.

During the progressive arrival of the fleet, patronage grew by over 50 per cent along our tramline, a growth only steadied as passengers were provided with the option of electrified rail services on the Seaford corridor as well. Carrying over 2.6 million passengers in 2014-15, our tram fleet cannot operate without dedicated staff, both in operations and maintenance.

Operating from the Glengowrie depot, I would like to thank the departmental staff who work tirelessly to keep our network running at maximum capacity. Their outstanding work has seen the successful delivery of not only regular passenger services, but also efficient and high-frequency services during special events, particularly for events at Adelaide Oval. From the original cast of staff who accepted delivery of Flexity tram 101 in November 2005, I would particularly like to acknowledge:

- Jude Lobow, one of DPTI's mechanical fitters who has worked with the department for over 30 years;
- senior driver Rino Ripuano, with special experience in the delivery of these services, who has been with DPTI for 19 years; and
- brothers Neil and Wayne Jones, who have both been with the department for 35 and 40 years, respectively.

There are many others who deserve our recognition—

Ms Cook: Terry Stephens.

The Hon. S.C. MULLIGHAN: No, not Terry—who I cannot possibly name in the mere seconds I have left, but I would like the house to recognise their tireless efforts.

Grievance Debate

PINERY BUSHFIRES

Mr DULUK (Davenport) (15:16): The Pinery bushfire was a grave reminder of South Australia's vulnerability to bushfires. Catastrophic fires can arrive quickly and without warning. It does not matter if you live in the state's north, along the Peninsula or in our foothills—all areas are vulnerable. Our stunning countryside that provides us with such an enjoyable environment in which to live, work and play is, unfortunately, also excellent fuel for bushfires.

In January, the Sampson Flat fire in the Mount lofty Ranges destroyed 13,000 hectares, together with a large amount of community infrastructure. The Pinery bushfire in the Mid North in recent weeks destroyed more than 82,600 hectares, including 87 homes and over 70,000 animals. Many people were injured and, sadly, two people lost their lives, and I would like to take this opportunity to convey my condolences to their family and friends. I wish all those affected the best as they take their first steps to recover and rebuild their lives after this tragic event.

These two bushfires left an incredible trail of destruction. These normally serene areas were quickly transformed into charred debris as deadly fires tore through with frightening speed and ferocity. Whilst the Sampson Flat and Pinery fires have garnered much attention, there have been

many more bushfires across the state this year alone. It is a stark illustration of the importance of preparing our homes and neighbourhoods each summer to be bushfire ready. My electorate of Davenport covers large sections of the Adelaide Hills, including the Mitcham Hills, the southern foothills and Belair National Park. It is an area of considerable risk during the bushfire season.

Last Tuesday, I was pleased to host a community forum on how to be bushfire ready. We were fortunate to benefit from the expertise of Mr Dale Thompson, head of the Sturt CFS group. Mr Thompson delivered an excellent presentation on the realities of fighting fires, CFS resources—including, indeed, their limitation of resources—the importance of preparing your family, your home or business and the community for the bushfire season and, in particular, the value of completing a bushfire survival plan, leaving early and knowing when you will go if you are forced to evacuate.

The message from the CFS was clear: if the worst does happen and your home is threatened by a bushfire, leave and leave early. It was an honest and confronting presentation to those in the room and, notably, it was effective. There was widespread recognition amongst the audience that they had plenty of work to do when they arrived home.

Mr Thompson noted that they should never be overawed, as it is not that hard to be bushfire ready. There are straightforward steps we can all take to help reduce the risk and stay safe this summer. They include:

- dusting off your lawnmower and cutting the long grass;
- reducing the undergrowth around your property;
- clearing your gutters;
- moving flammable materials away from the house;
- having an emergency kit with insurance papers, photos and other valuables ready for a quick exit; and
- keeping a phone charged throughout the summer and knowing where to access bushfire information.

Firefighting is a shared responsibility. The CFS works hard to protect life and property, but they cannot be everywhere. We must all play our part, and these simple activities may help save your life and that of a loved one.

More broadly, I would like to acknowledge the outstanding efforts and sacrifice of the CFS last week during the Pinery bushfire, as well as the efforts of all our emergency services. I would also like to thank the 311 Victorian personnel who came to our assistance. I think it is important to recognise the incredible community spirit of all South Australians who have responded with enormous support, with donations of food and shelter, clothing, goods, furniture and financial aid.

Finally, I welcome the Treasurer's comments earlier this week that 'whatever our CFS volunteers need to fight these fires, they get'. It is a shame that this government needs a catastrophic event to be spurred into action, but at least it will be good to see the outrageous increases in the ESL in the last two budgets used positively and spent to provide the best equipment for those on the front line, including a working and reliable emergency radio system.

Radio blackspots are unacceptable in emergency situations and putting lives at risk. This Labor government refused to properly invest in the mobile phone blackspot program earlier this year, leaving us as the only state without funding. Every other state agreed to partner with the Australian government to co-fund base stations in their jurisdictions. As a result of this government's poor efforts, only 11 out of 499 towers funded nationally were located in South Australia.

The dangers faced by our CFS volunteers when fighting a bushfire are already acute. They should not be exposed to further danger by a failing emergency radio system. The Australian government has committed a further \$60 million for round 2 of the blackspot program. Will our government? I do not know. South Australia cannot miss out on this opportunity.

AUSTRALIAN CRANIOFACIAL UNIT

Ms DIGANCE (Elder) (15:21): This year the Australian Craniofacial Unit achieved an important milestone, celebrating its 40th anniversary. The unit was established in 1975 by a visionary and compassionate surgeon, Professor David David, in collaboration with his fellow specialists. I am pleased to say that it was a Labor government, under the innovative and future-thinking premier, Don Dunstan, that saw the crucial importance of such a focused centre in changing the lives not only of South Australians but Australians.

And so an ambitious project saw the establishment of a national centre of excellence in the field of craniofacial surgery right here in Adelaide. The unit was the first of its kind in Australia and in fact today the Australian Craniofacial Unit at the Women's and Children's Hospital is still the only unit of its kind in Australia and one of only two dedicated stand-alone multidisciplinary craniofacial units in the world. That is worth repeating: it is one of only two dedicated stand-alone multidisciplinary craniofacial units in the world.

As a young surgeon, Professor David David's passion was fuelled by the inspirational work of French surgeon Paul Tessier, who was a pioneer craniofacial reconstructive surgeon. During World War II, Tessier had developed a surgical and rehabilitative approach in support of burns victims who often found themselves in mental institutions—entirely sane, but rejected by society because of their physical disfigurement.

Society judged harshly and he had a mission. The message was powerful for Professor David as he was driven by the promise of enabling a new start for those struggling with facial disfigurement. He would do this by way of a professional team approach—an approach to look at the whole person and, indeed, the whole family.

My interests in this unit are many. Notably though, first of all, even with incredible advancements in medicine, one in 500 babies are born with craniofacial abnormalities. It was in 1990 that my eldest daughter, Amelia, was born in Darwin with a rare bone disorder that would affect her personal journey, her growth, her physical development and go to the core of who she was and is today.

It was an event that began our journey as a family, with my husband, Greg, and her two younger sisters, Georgina and Emma, all deeply involved. It has shaped all of us for the better, but at times that was not clear when we were in the thick of things. I believe it shaped Georgie and Emma's career choices also, with Georgie studying medicine and Emma studying speech pathology.

When Amelia was born, I knew instantly as soon as I held her that I needed to have her checked by a paediatrician. Her skull bones had not meshed and the anterior and posterior fontanelles of her skull were open well beyond the norm. Investigations and blood tests ensued, and the week long wait for results to confirm diagnosis was excruciating.

We had been told that she would have one of two conditions, and for one of these conditions, we were told, 'Take her home and enjoy her; you will not have her for very long.' Thankfully, we received the news that she would indeed live but that she had a very rare bone disorder, where bone would not grow or would grow slowly, and that there would be an unpredictable developmental journey. We were referred to Professor David in Adelaide for her care. It was the best and right decision.

Over her developing life we would spend days straight within the walls of the Women's and Children's Hospital, filled with specialist appointments: neurology, dental, orthopaedic, X-ray, CT scan, speech pathology, ophthalmology, paedodontics, oral surgeons, audiologist, orthodontist, ENT specialist, social workers and case workers, culminating in a case conference to discuss progress and plans. In her 25 years, Amelia has undergone too many operations to mention, including major facial reconstructions of her entire face and forehead. The risks of these operations are enormous. The outcomes for her—gratefully due to the coordinated care—have been more than we could ever have hoped for. Her sisters have been really supportive along the way.

Along this journey, as we sat for countless hours in waiting rooms, we saw and talked with those who were less fortunate than us, who did not enter the unit at the beginning of their journey and were there to have their faces, yet again, reconstructed, with repairs and damage to be reversed.

What is special and significant about this unit is that professionals and specialists come together in one place to discuss, monitor, deliberate, craft and guide the care, and we are grateful—coordination is the key. We have a gem in this national centre of excellence—we must care for it so it can care for those who face the world under a cloud.

It was when I heard Amelia speak at a function, as ambassador for Craniofacial Australia, that I realised what she had truly confronted: the teasing, the sideways glances, the whispering, the pointing, and the innuendos that would try to make her feel less of a person—the judgement that peers and others made of her based on how she looked was overwhelming, and her speech brought us all to tears. It was not until one of her stays in critical care post facial reconstruction that her sisters realised that she indeed walked a different path. We had never treated Amelia as disabled—the strength of the unit and their support gave us this comfort and perpetual belief that she would be okay.

She is okay—she is tenacious, determined, involved and a 'can-do' person with a strong sense of social justice, and she has now returned to her birthplace, Darwin, to work as a young lawyer. The people and professionals of the unit became our extended family, and still are, as over 25 years our contact and interaction was constant as they monitored and intervened on Amelia's physical growth, dealing always in unknown territory—always honestly admitting they were never quite sure how in her case she would develop physically but always with the utmost professionalism and respect. I am grateful, my family is grateful, to the Australian Craniofacial Unit—Professor David David, Dr Michael Nugent, Bron and staff—you are a South Australian jewel.

Time expired.

LIBERAL PARTY

Mr BELL (Mount Gambier) (15:26): Joyce Maynard said it best, and I quote, 'A person who deserves my loyalty receives it.' I am not going to stand here and watch this current government try to inject innuendo and doubt into the stability of my Liberal Party. I will stand up for my party and our leader. I am sure the stability of the current Liberal team drives some people on the other side absolutely crazy. We are united by a number of factors: we have a leader with vision; we have a united team; we have an incredibly hard working team with a clear plan to get this state back on the right track; we have a state that is heading in the wrong direction; and a government with priorities which are clearly wrong.

After achieving 53 per cent of the vote, yet being unable to form government due to the blatant gerrymander that this Labor government holds, we are more resolute than ever. Our unit has the other side rattled and that is why they continually spread misinformation to willing media outlets and yet no crack has so far appeared.

I read with disappointment comments made by the member for Waite in last night's sitting and in today's InDaily. Through Wikipedia I decided to do a bit of research on the member for Waite's achievements, and I am going to spend a couple of minutes detailing those. In October 2005, the member for Waite moved to challenge then Liberal leader, Rob Kerin, but later withdrew his challenge. On 11 April 2007, Martin Hamilton-Smith formally challenged then Liberal leader, Iain Evans, and was successful. In 2009, Hamilton-Smith accused Labor of accepting split donations from the Church of Scientology, based on information sent to the Liberal opposition that was subsequently found to have been forged. He might want to look at his new found friends for the source of that little zinger.

He then announced a spill of his own leadership, which he won by one vote, then immediately announced he was not satisfied with winning by one vote and would recommit the vote in three days time. Isobel Redmond won the leadership spill on 8 July 2009. On Tuesday 30 March 2010, Hamilton-Smith was elected deputy leader of the SA Liberals. He then stood down from that position because the new leader, Isobel Redmond, would not accept him holding such a position as deputy leader, mainly because he had approached her and made it clear that she should stand aside and that much of the success of the 2010 election should be attributed to him.

In 2012, Hamilton-Smith nominated for the position of South Australian Liberal Party parliamentary leader, after he declared a leadership spill against Isobel Redmond. A party room

ballot occurred on 23 October 2012 and Redmond retained the leadership by one vote. Hamilton-Smith moved to the backbench and indicated he would not rule out challenging again.

The ACTING SPEAKER (Ms Hildyard): The member should refer to the member for Waite, not Hamilton-Smith.

Mr BELL: Just put those into all the others—the member for Waite. The member for Heysen resigned on 31 January 2013 and Steven Marshall, our current leader, was elected unopposed. After being re-elected as Liberal member for Waite in March 2014—

The ACTING SPEAKER (Ms Hildyard): The member should refer to the member for Dunstan.

Mr BELL: Dunstan, thank you—the member for Waite resigned from the Liberal Party and joined the Labor cabinet. In that time the member for Waite planned to back his own Independent candidates at the 2014 Fisher and 2015 Davenport by-elections, but this did not eventuate. The member for Waite pledged in July 2015 to campaign against the Liberals in South Australian seats at the next Australian federal election, saying he will endorse conservative Independents and/or Nick Xenophon Team candidates.

I want to put on the record my full support for Steven Marshall and our Liberal team. The best thing that the Labor Party has done for the Liberal Party over the last 14 years is to offer the member for Waite a cabinet position. We are united on this side of the house, because we look across the chamber and cannot believe the disaster that is unfolding in this state.

WHYALLA STEELWORKS

Mr HUGHES (Giles) (15:31): I rise today to talk about the latest round of proposed job losses at the Whyalla steelworks and, in contrast, a set of very positive state government initiatives to assist the domestic steel industry during this very challenging period. Before discussing the job losses and the policy initiatives, I would like to thank all those members who have passed on their condolences at the death of my brother. Your words of support from across the political spectrum were deeply appreciated.

For most of us who live in Whyalla, the iron and steel industry goes beyond just a set of economic variables; it is a part of who we are. Both my late brother and myself as young men started our working lives in the steel industry. My mother and father moved over 15,000 kilometres to settle in Whyalla and work in the steel industry. One of my sons is about to finish his apprenticeship in the steel industry. For me, the viable future of the domestic iron and steel industry is deeply personal.

Personal though it is, the future of the iron and steel industry in Whyalla revolves around the basics of iron ore prices and steel prices, around supply and demand, and also around the policy initiatives that we choose to pursue as a state and as a nation. What support do we provide for our manufacturing industry, battling as it is on a totally unlevel playing field? What importance do we ascribe, as a nation with massive iron ore exports, to the maintenance of domestic steel production? Do we believe it is reasonable to become totally dependent on importing steel? We in Whyalla do not believe that.

We now have a far clearer indication of the job impact of the announced \$100 million in cuts to the steelworks. Two hundred and fifty jobs will go on top of the previously announced 50 jobs. This comes on top of a series of job cut announcements at the Middleback mining operations 50 kilometres to the west of Whyalla and earlier staff cuts at the steelworks. To provide some perspective, imagine if Nyrstar at Port Pirie closed. The direct job losses would be roughly equivalent to the job losses experienced at Whyalla once the latest cuts have been implemented. Think about that for a moment.

We cannot do anything as a state about iron ore prices or steel prices, but we can do something about state procurement policy and a range of other initiatives to assist with the ongoing viability of the steel industry in South Australia. Last year, I raised as my number one priority for Whyalla a reform of our procurement policy on steel in major state-funded construction projects. With the announcement last Wednesday at the Whyalla steelworks by the Treasurer, we now have the nation's best steel procurement policy. As a measure of just how good the policy is, Arrium chief

executive, Steel, Mr Hamer, and chief executive of the Australian Steel Institute, Tony Dixon, were present at the launch and strongly endorsed the policy.

Enforcing Australian standards and a robust third-party certification process will deliver a significant competitive advantage for the Australian steel industry. The state government will provide over \$320,000 to create a third-party audit process as part of a \$4.3 million commitment to develop a steel task force. The task force will work with the steel industry to ensure we do all in our power to support steel production in South Australia.

We now want to see the other states and the national government replicate South Australia's nation-leading steel procurement policy so that we have a long-term competitive steel industry in Australia. The federal government has still not addressed the deficiencies with our anti-dumping regime, and that needs to be done with a far greater sense of urgency. The establishment of the steel task force, the major overhaul of steel procurement policy and the recent announcement about developing a framework with Arrium to maximise in the longer term third-party use of Arrium's harbour, all represent a serious commitment to Whyalla's future.

Time expired.

COUNTRY HEALTH SA

Mr PENGILLY (Finniss) (15:36): I wish to raise some issues to do with Country Health. I have two hospitals in my electorate: South Coast District Hospital at Victor Harbor and the Kingscote Hospital on Kangaroo Island. There is going to be a lot come out on the south coast in the New Year. Today I want to turn my attention to Kangaroo Island. I have a health advisory council there who have had to go to the press to put out media statements over the failure by Country Health SA not to deliver the goods in respect of much-needed equipment and roles within the hospital. That is a serious matter. Mr Darren Keenan is the HAC presiding member over there, and I quote:

We are not asking for...money. We are not asking for a new service. We are simply asking that Country Health SA deliver on the service that they have identified as necessary and subsequently budgeted for...

What the issue is about is operations in the theatre of the hospital. Specialists go over to do surgery and return to the mainland. These surgeries have been reduced over a period of time. Last Friday is an example; another surgeon went over, as opposed to the orthopaedic surgeons. They had five operations scheduled and had to pull out after three because the sterilising unit is not working properly and they could not sterilise their gear. What this is leading to is complete inconvenience for the people of Kangaroo Island, constituents who want to have surgery there. It is a nightmare trying to get to the mainland to have these things done, and it has gone on for a long time.

Country Health, under the acting CEO, Rebecca Graham, and under the regional director, Debbie Martin, have failed to address the HACs issues, they have failed to do the best thing. What Country Health is doing is winding down the activities of the hospital in an attempt to save money, and they are not servicing those people in regional communities who need it. It is shameful. The acting CEO of Country Health has refused to meet with the HAC. The HAC are now out there.

I have another letter from another board member of the HAC, Mr Ian Kent, which I am not going to have time to go through. In today's InDaily—members may wish to read it—Mr Keenan's comments were posted. It is an extremely ridiculous and stupid way of doing business by Country Health. They are failing the people of South Australia, but in this case they are failing the people of Kangaroo Island. I quote again Mr Keenan:

We are frustrated, we have had enough. People are having their quality of life affected for no obvious reason. Again I iterate, we are not asking for money, we are not asking for a new service, just delivery of the service that Country Health South Australia both justified and budgeted for deliver on Kangaroo Island.

The only thing we need to solve this problem is a signature on a piece of paper. For Kangaroo Island residents that would be Transforming Health.

They have tried to have a meeting with the acting CEO, but she will not do it.

The minister needs to grab hold of this, give it a good shake and instruct Country Health to sort it out and be a minister for once instead of having his bureaucrats tell him what to do. It is simply inexcusable that this is happening when the procedures and operations that have been done at the

hospital over there have been successful over decades. It is also making it difficult for staff and doctors in the hospital who need to have these operations take place so they can keep their practices and training up. It is not good enough. It is a sad indictment, as I say, on Country Health and heads should roll over it.

In the time I have left to me, it used to be common practice in this place when I came in that members would wish each other the compliments of the season, a merry Christmas and a happy new year. I extend that to all members present. I think it is important.

But can I just say how disappointed and saddened I was by the comments made by the member for Waite last night. It was inexcusable and it is disappointing. I am a person who supported him to the hilt in his former roles and he has let us down badly. He has let a number of my colleagues down badly and to make a sad, vitriolic, bitter and twisted attack last night, I thought, showed the depth of his character. It is a sad day. Let him go about his business. The electorate will sort that out. Why he had to come in here and vent his spleen like that defies me.

REYNELLA BRAEVIEW CALISTHENICS CLUB

Ms COOK (Fisher) (15:41): I have made some amazing friends and connected with some really great community groups during the year. I have always been a huge supporter of all sports and a participant of many. I am fearlessly and fiercely competitive and have found my current pursuits in Night Owls to be very frustrating, but the people of Happy Valley Bowls Club have been sensational and super supportive. I am not too sure if they are laughing at me or with me but, in any case, it has been a great way to get to know a lot of people in the community who I would have only chatted to previously.

I have been a netballer for many years and I do miss it a lot but, to be honest, I would have to say that my best years are behind me. I did a couple of years of gymnastics as a very small child on the back of watching hours of the wonderful Nadia Comaneci, the 15-year-old Romanian superstar of the 1976 Montreal Olympics, but I was built more to move the equipment around than to dance, jump or do tricks on it, I am afraid.

Earlier this year, I was introduced through a friend to Reynella Braeview Calisthenics Club. One of my lifelong friends, Nicky, has always been a long-term nagger about the benefits of cali (which is what the cool kids call it) and over wine has boasted about her fist-pumping victories in the graceful girl contest. I am not only not a graceful girl but I also find it an awful chore to put on makeup, so with great trepidation I travelled to watch the cali training for the first time, expecting a room full of fragile little girls wearing makeup. I did not find that at all.

Reynella Braeview, which amalgamated in 1993, have 120 members from ages three to 28 years. There are 16 committee members and 11 very committed coaches, two of whom, Nat Fleming and Jenny Hampton (also referred to by the cool kids as Miss Nat and Miss Jenny), were awarded their 30 years of service at our concert in September. It is an incredible and enduring commitment to the families of our community.

Our sub juniors in this club are the state champions, with all five teams winning the aggregate in August—a sensational achievement and a reason to be excited about the future of the club. All other age groups placed in their sections also. It shows incredible depth and consistency.

In October 2014, six teams travelled to Ballarat to compete in the Royal South Street competition with the sub junior 1s coming away with second place. Then in October 2015, the inters came second.

For the uninitiated, like myself, this is an annual competition that has been held since 1891 when it started as a debating contest. It now showcases, in an eisteddfod format, many types of performing arts. Notable competitors previously have included Denise 'Ding Dong' Drysdale, Dame Kiri Te Kanawa and the fabulous Joan Kirner, although I am sure, disappointingly, it is unlikely that Joan Kirner competed in calisthenics. Reynella Braeview hosts a camp every January for the girls to bond and get together with girls from other age sections and have fun with the coaches. It is a great way to build club spirit and morale.

A typical cali year consists of midyear contests, May competitions, state championships in August and everyone is working towards these. They have an end-of-year concert in September and

there are also two solo competitions in April and November that some of the girls compete in. Every year the girls have the opportunity to represent our state in the Australian calisthenics federal national competition which is happening here in Adelaide next year and I am very excited about this. Over the weekend in July this year, there were seven sub juniors, five juniors and two intermediates selected to represent South Australia from our club.

In 2016, when it is held here it will become such a special thing for them to be selected, with two of the sub junior coaches, Nat Fleming and Robyn Middleton, having been selected to be the 2016 sub-junior national team coaches, a great achievement. Let me share some fun facts about calisthenics where the age groups start from the tinys at the age of three through to the seniors at 16 and over. Girls learn five or six routines that they work on all year to compete at the state competitions. Calisthenics builds friendships that last a lifetime, it builds confidence, and they learn to love exercise and make it a routine part of their life.

Posture and deportment play an important part in their training—and I love that the member for Wright has returned to the chamber because she had told me how much she loves calisthenics. All of these things make for grounded, confident young women. Even for a very successful club, however, there are some challenges which I hope to help them with. Halls for the girls to practice in are difficult to find and very expensive but we must keep supporting our young women to make positive lifestyle choices.

Motions

STATEMENT OF PRINCIPLES FOR MEMBERS OF PARLIAMENT

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) (15:47): I move:

That this house adopts the following Statement of Principles for Members of Parliament:

1. Members of parliament are in a unique position of being accountable to the electorate. The electorate is the final arbiter of the conduct of members of parliament and has the right to dismiss them from office at elections.
2. Members of parliament have a responsibility to maintain the public trust placed in them by performing their duties with fairness, honesty and integrity, subject to the laws of the state and rules of the parliament, and using their influence to advance the common good of the people of South Australia.
3. Political parties and political activities are a part of the democratic process. Participation in political parties and political activities is within the legitimate activities of members of parliament.
4. Members of parliament should declare any conflict of interest between their private financial interests and decisions in which they participate in the execution of their duties. Members must declare their interests as required by the Members of Parliament (Register of Interests) Act 1983 and declare their interests when speaking on a matter in the house or a committee in accordance with the standing orders.
5. A conflict of interest does not exist where the member is only affected as a member of the public or a member of a broad class.
6. Members of parliament should not promote any matter, vote on any bill or resolution, or ask any question in the parliament or its committees in return for any financial or pecuniary benefit.
7. In accordance with the requirements of the Members of Parliament (Register of Interests) Act 1983, members of parliament should declare all gifts and benefits received in connection with their official duties, including contributions made to any fund for a member's benefit.
8. Members of parliament should not accept gifts or other considerations that create a conflict of interest.
9. Members of parliament should apply the public resources with which they are provided for the purpose of carrying out their duties.
10. Members of parliament should not knowingly and improperly use official information, which is not in the public domain, or information obtained in confidence in the course of their parliamentary duties, for private benefit.

11. Members of parliament should act with civility in their dealings with the public, ministers and other members of parliament and the Public Service.
12. Members of parliament should always be mindful of their responsibility to accord due respect to their right of freedom of speech with parliament and not to misuse this right, consciously avoiding underserved harm to an individual.

And that upon election and re-election to parliament, within 14 days of taking and subscribing the oath or making and subscribing an affirmation as a member of parliament, each member must sign an acknowledgement to confirm they have read and accept the statement of principles.

On adoption of this motion, a message will be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

I rise to say a few words about this motion which is before the parliament and, of course, the motion deals with the adoption by this house of a statement of principles. I want to say a few things about this, obviously, and I know others will speak. As I gaze across the chamber, I see the member for Bragg, and I recall when both of us were a little younger that we were involved in a very early iteration of this project. The idea that we are still both here, 10 years later, we are still gazing at one another across the chamber, and we are still talking about this, says a great deal about how things change and yet how things remain the same. It is quite philosophical actually.

The Hon. T.R. Kenyon: Sit down and contemplate that.

The Hon. J.R. RAU: I might contemplate that for a while. Anyway this is a matter of public confidence in us as elected members and it is very important. The government recognises the need to improve public confidence and this motion is part of a suite of measures to reform the operation of this place and to strengthen the structures that support public integrity. Through my time as minister, I have a list of legislative achievements—of which I am reasonably proud, I suppose—that promote greater public integrity.

These include the Independent Commissioner against Corruption Act of 2012, the Electoral (Funding, Expenditure and Disclosure) Amendment Act of 2013, and I hope a bill currently in another place will join with these other achievements, and I did speak briefly about that this morning. For anyone who is wanting to know what I am talking about, I spoke about that this morning in the context of a notice of motion, but I will not burden you by repeating anything I said then.

This motion also pays tribute, importantly, to the legacy of the Hon. Dr Bob Such MP, and the member for Bragg and I would recall that he was on that committee when we served on it a few years back. Dr Such always sought to hold himself to the highest possible standards and will long remain an example of how members of parliament should seek to conduct themselves.

As I was saying before, some years ago I joined Dr Such and others, including, of course, as I said, the member for Bragg, on a committee to consider a code of conduct for elected members. The words we are considering today, in fact, were recommended by that committee. For a number of reasons, of course, this statement of principles has not as yet been adopted by the chamber or in the other place for that matter and, whatever the case, I believe that, particularly in light of the significant number of additional measures that are in place to ensure integrity in other public officials and statutory officers, it is now the right time to adopt this statement of principles to apply to ourselves as well.

It should be noted that the statement commences by articulating that we are accountable to the electorate, and, of course, that does make us somewhat unique compared with public servants or other people, in the sense that we—or at least those of us in this house—go before the electorate every four years for endorsement or otherwise.

It should be noted that the statement commences, as I said, 'The electorate is the final arbiter.' As elected leaders of our communities, public judgement our conduct is constant, with a judgement cast at the ballot box every four years. The statement, of course, does not change that. What it is seeking to do is to lift the public standing of our profession as politicians by listing principles by which we should all seek to abide.

Most professions have some kind of code or public statement to which reference can be made. We are seeking to make a public statement that we are committing to certain standards of behaviour. Broadly speaking, my experience of MPs in South Australia on both sides is of upstanding

community leaders who truly wish to contribute to the continued improvement of our state. Notwithstanding this, it is clear to me that the community does not hold politicians or our work in the highest esteem. This has some important consequences that likely act to the detriment of our state.

We need politics to be a competition of ideas prosecuted by some of the finest minds in our state. If aspiring young people who can make a strong and positive contribution to our state and our future are put off from service because of how they believe they will be perceived by their community, by their friends and their family, then we have a serious problem. As I look at some of my young colleagues, I note that this is not taking hold just yet—not yet, thank goodness.

But the risk does remain and it appears to be getting only a stronger risk, and that is why the government is so focused on promoting public integrity. We are seeking to improve public trust in all our public institutions, and parliament is key amongst them. I believe that, as members of parliament, we are all under intense scrutiny. There are a number of strict guidelines to which we already need to adhere, and it is appropriate that we make this statement about our conduct. I commend the motion to the house and I look forward to the statement of principles being adopted.

Debate adjourned on motion of Mr Gardner.

DENNIS, MR R.

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) (15:54): I move:

That this house congratulates Mr Richard Dennis, Parliamentary Counsel, for his long and distinguished service to the Parliament of South Australia and its members.

I take great pleasure in moving this motion, which is one of recognition, acknowledgement and thanks to Richard Dennis, parliamentary counsel, with whom I must say I have perhaps had a greater interaction than many because of the nature of the work of the Attorney-General's office, in particular, and therefore I feel particularly privileged to be able to move this motion because I can do so from a perspective of one who has considerably benefited from Richard's skills and work.

Richard was appointed as parliamentary counsel in 2006. He was previously in private practice, but his interest in administrative law and the role of parliamentary counsel led him to join the office in 1982. He completed a Graduate Diploma in Business in 1993. He was awarded the Public Service Medal in 2010. He has been an active and valued member of the Australasian Parliamentary Counsel's Committee, even prior to his appointment to his present role.

He has been a member of the Machinery of Government Committee and its forerunner for many years. He has been an active member of the South Australian Chapter of the Australian Institute of Administrative Law and of the Law Society of South Australia, including presenting seminars on statutory interpretation and other topics. He was the primary organiser of the very successful Australasian Drafting Conference, hosted by the Office of Parliamentary Counsel of South Australia in August 2011 in Parliament House.

He has been the drafter of a number of very complex pieces of legislation, including national legislation. To mention but a few of his many achievements, one could mention the Natural Resources Management Act 2004, the Local Government Act 1999, the Development Act 1993 and, in a bookend career move, can I say that he has also been the author of a bill to repeal, replace and update the Development Act 1993, which is presently in another place.

Mr Gardner: I liked his earlier funnier work.

The Hon. J.R. RAU: All of it is very good work, I can tell you. He has drafted superannuation legislation and, of course, from my point of view again, the Return to Work Act 2014. Many of these matters deal with complex constitutional matters and other legislation just too numerous to mention.

Richard is renowned for his availability, his prodigious work ethic and output and his dedication to the job. As all who know him would realise, he has a very pleasant and friendly demeanour. He is happily married and devoted to his wife, Andrea, and he has two daughters, Alex and Maddy, and has for a number of years been closely involved with the Walford Anglican School for Girls and is a current board member.

He is also deeply involved with the Archdiocese of Adelaide. In his spare time—and I fail to see how he has any, to be honest—he enjoys spending time with friends, playing golf, watching Sturt play in the SANFL (there is something: my father was a big fan of Sturt, so he would be very pleased to hear that), snow skiing and travelling with his wife.

I would just like to say, further to those remarks, that I have had the opportunity of working very closely with Richard on a number of quite complex matters. We have, on more than one occasion, found ourselves around a table with drafts, both of us scribbling on bits of paper, me making suggestions and him politely correcting me and saying, 'No, it's a bit silly, but you could do it this way.' I have had the experience of actually being able to sit down and work with him on a very complex piece of legislation, like the return-to-work legislation, for example, when we spent hour after hour after hour sitting in a room and asking ourselves questions about the drafting, constantly trying to improve it and constantly asking ourselves all the questions about how it could be made better.

All the time Richard is aware of the fact that if we tweak a particular provision in one part of the legislation, his encyclopaedic knowledge is telling him there are consequential amendments cascading out somewhere else. This is the sort of thing that, frankly, boggles my mind that somebody can have so much information in there. I will greatly miss having Richard's support and assistance; he has been a fantastic support for me. Mr Speaker, who may even speak on this topic himself, certainly would have benefited in his time in my role from the great work done by Richard.

With those few words, I would like to say on my behalf and if I can speak on behalf of my colleagues—those who do not wish to make their own independent contribution—on behalf of all of us, thank you very much for your help; thank you for your good cheer; thank you for your tolerance; and we certainly wish you all the very best in your future endeavours. And who knows, you might have us chasing you in the not too distant future asking you for some other form of assistance. If that be the case then, hopefully, subject to your travel itinerary you might be available to assist us.

Richard, well done. Thank you very much for your great service to the parliament, the government, the people of South Australia, and all the very best in your next career.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:01): On rare occasions the parliament moves a motion to recognise a significant contribution, and it is with great pleasure that on this occasion I am very happy to support the motion of the Attorney-General because Richard Dennis has provided a very long period of service of over 30 years to this parliament as a parliamentary draftsman and, of course, as parliamentary counsel for nine years, and his level of contribution by degree of excellence should be acknowledged.

May I first say that it is true that with all of the members of parliament who have come in and out of this chamber over that 30 years, I am sure that he would have dealt with each of them in a manner which continued to be professional and polite. His courtesy and patience and quietly spoken correction of all of us has been warmly received and highly regarded.

I also wish to say that most of us, at the time of seeking the advice of Richard or presenting a request for instruction of drafting, are usually in a frenetic state and, of course, frustrated with the process of what is close to the sausage-making role of law making. So, it is especially significant that, during that time, he is able to maintain such a high standard of patience with us. I greatly personally appreciate Richard's contribution, advice, support and guidance to us, especially during those rather frustrating times.

The high level of work that you have undertaken, Richard, not only in legislation for South Australia but which has had impact at the national level, and particularly the Northern Territory I wish to recognise, because it has been a part of Australia which has had a legislative connection with us for well over 100 years. Although we became more distant in the 1970s, there is significant legislation that has remained as a legacy, an influence, in South Australia's legal development. It has been very important to unpick some of that, and also when we do major pieces of infrastructure like the final conclusion of the rail link between Adelaide and Darwin, in particular from Alice Springs to Darwin, it is important that we have the legislative framework around it to support it.

I am aware that you were instrumental during that time. That was complex legislation and near impossible for those who were debating it, but equally for you who had to draft it. I could only

imagine what it must have been like to deal with legislation in the break-up of the electricity trust of South Australia and things of that nature. These massive policy decisions have enormous complex consequences when they are implemented. Well done and we confirm our appreciation.

On your leaving us—and we wish you well, of course, in whatever future adventures you undertake—I just make clear for your successor the two things in modern drafting that I just cannot abide. One is this modern idea of introducing notations in statutes, usually with some unhelpful example of how it is to be applied, which then provides myriad opportunities for the legal world to interpret it. This is not something I direct at Richard Dennis, but I make the point that this innovation has not been helpful when what we do in here is applied in the outside world.

The second thing, which seems to have gone on for a very long time—certainly over the 30 years that I have also been in the legal world—is the innovation of listing in a schedule of offences a reference to identified penalties that are confirmed as applicable, the detail of which is published in another act.

Frequently, we will have a schedule of offences and the penalties we might find for those are sitting over in another piece of legislation—the Acts Interpretation Act, for example—especially when we are dealing with fines or imprisonment. The reader of the legislation, having read the edict that is to apply for certain behaviour or for refraining from certain behaviour, finds that the detail of the penalty is in another piece of legislation.

That is both frustrating and, I think, unfair. It is all very well for the legal world or the political world to simply access their computers and do the search and find the applicable penalty, but that is not always available to the average person and I think it should be. I hope your successor takes that on board. I think you have politely rebuffed me during your time, Mr Dennis, obviously to try to justify why we do these things, but I make that point.

The second thing I just want to say is this: I feel it is a little selfish of you to leave after only some 32 years or so. I can think of a number of other persons who have served the parliament or the Public Service who have lasted longer. Last night I met with a family of whom many were descendants of Sir William and Sir Lawrence Bragg, because there was a special event here in South Australia to unveil a bust of Sir William Henry Bragg.

With them were a number of descendants of Sir Charles Todd, who is famous, of course, for his work in supervising the Overland Telegraph Line and who also worked as a scientist, astronomer and telegrapher. The reason I mention him is that, in the late 19th century, he was employed by the South Australian government as a public servant and he served for over 50 years. In fact, he not only worked in roles including, in the early period, with the Bureau of Meteorology and other important public positions, but he did not give up one to do the next, he accumulated them.

So, there is an option for you, rather than actually leaving us, you could have just taken on some other responsibilities. We could have found some for you. You could have gone on for another 15 or 20 years, except for the fact that we now have a law that requires retirement from the Public Service at a certain age, more is the pity, I think, because your services would have been invaluable if you were able to stay. So, I think it is a little selfish on your part for actually leaving us. Nevertheless, we assure you that you will be well remembered. You go with our very best wishes and the highest regard of all of my colleagues on this side of the house and, I know, my colleagues in the other place.

The Hon. P. CAICA (Colton) (16:10): I will be brief in my comments on this motion. I rise to congratulate Mr Richard Dennis for his outstanding contribution over many years. I am sure the chamber will be pleased to hear that I am going to make no comment whatsoever on the reformatting of bills. I will forever take advice from those in the field who know better than I do. I had some dealings with Richard during my time as minister and I can say, genuinely, that he has been an absolute pleasure to work with. It is true that we have not had much business with each other in a technical sense over the past three years, but we do catch up with each other when I am getting some fresh air out on the front steps.

Together, we put through some pretty difficult legislation, I think, over a period of time. Richard was always there to provide sound advice in such a way that I was easily able to understand

the thrust of what was being said. I think that is the great character of a good communicator too, that it is put in terms that I will understand. In fact, that is one of the secrets of legislation as well, to make sure that the reader will find it easier to read than otherwise might be the case if it was made more complex in its writing.

There is one issue, I guess, that arose during that time. I forget what the actual bill was, but I presented a bill to the house and Iain Evans, who was the opposition spokesperson on the matter, drew to my attention that I had tabled a bill that was actually an old bill that had been superseded. We made the mistake, or I made the mistake, as did whoever was my parliamentary officer at that stage by giving me something that was not the right bill. Richard, to his credit, cool as a cucumber, just said, 'Well, in all my years I've never seen that happen before.' We fixed it, everything was alright and it went reasonably well.

Richard's contribution cannot be understated. I do not intend to traverse the areas that the previous speakers have, only to say that during my time as minister I found Richard to be well beyond just useful, he was very professional and expert in the work that he undertook. From time to time, I worried when there was another person from parliamentary counsel but Richard would assure me that that particular person had all the skills required for that person to be of assistance to me in the passage of the bill. I want to pay tribute to those people as well because I think that, under the tutelage (if that is the right word) or the mentorship of Richard, we have a very fine, exceptional team who occupy those positions within parliamentary counsel. I thank you, Richard, for the role that you have played in bringing that group of people along.

I think this parliament owes a great deal of gratitude to Richard. Everyone who works here gets paid for what they do, but quite often people take it beyond just what is expected of them and go beyond expectations. Richard falls into that category. I want to make the point that, above all else, I have found Richard to be a very decent human being and I think that has assisted him in the way in which he has discharged his responsibilities and the relationships that he has been able to forge with people in this parliament from both sides and both houses.

Richard, I wish you all the very best in your future. You are leaving at a proper age, I think, because, whatever it is you intend to do, there is no doubt you are at an age where you can continue to do that for an extended period of time if you so choose. I know, whatever it is you are going to do, that you will be successful. As the Attorney said, it might be one day that your services are required here and, as a consultant, I am sure you are going to get paid more than you do now, if indeed you are asked to come back and help. But you will be successful in whatever you do.

I want to thank you for the time and consideration you have shown not only me but all members of parliament. I thank you for your contribution not only to this chamber and to the members but to the people of South Australia who live under the rule of law, because the laws that we have in place are better because of the drafting that you have done.

Mr WILLIAMS (MacKillop) (16:15): It is with a great deal of pleasure that I rise to support this motion brought by the Deputy Premier. I also put that in the context as the longest serving member of this place on this side of the house. I have got to know a little of Richard Dennis and seen his work for a very long period now.

I have to admit, when I came in here, I had very limited understanding of legislation, law and how it all worked. Richard was one of those people who, through an incredible amount of both patience and tolerance, guided me from time to time when it was necessary. I remember, particularly in my early time in here when I would get excited about a piece of legislation and make some comment in a second reading about a proposed amendment, I would get dragged aside by Richard and he would tell me either why what I was suggesting was not possible or, if it was possible, how we would go about it. His ability to put some sense into some of the comments I was making about legislation was quite fantastic, and I really thank him for that.

I was sitting here a few moments ago and I remember my dear late departed father, who told when I was a young boy that, if you needed a lawyer to interpret a piece of law, it was bad law. I have always thought that that was fairly wise counsel from a man who, like myself, had a very limited understanding of the law, but he probably would have called himself a bush lawyer.

I remember one particular amendment concerning the speed zone outside schools, and I am not sure whether it was Richard who drafted it for me. Di Laidlaw was the minister at the time and we put forward an amendment to a bill that was going through. I notice Richard shook his head, but I will retell this story in the context of my father's words. The amendment that was given to me to move, and got through the parliament, to my mind was totally unintelligible, but it gave the right outcome. That is the sort of skill that parliamentary counsel in general hold, but Richard Dennis in particular. The Deputy Premier made some comments about the complexity of major pieces of legislation, but even quite minor legislation can be incredibly complex.

I recall one episode where Richard was invited to talk to some new parliamentarians—I think they were all from our side—shortly after one election. He went through and described how a piece of legislation was put together and how it worked. I was the shadow minister for mineral resources at the time and I was delighted that the piece of legislation that he described—pulled apart, put back together and showed us how it worked—was the Mining Act. As the shadow minister for mineral resources, I found that quite illuminating, even though I had been in the place for a considerable time at that particular juncture.

Speaking directly to you, Richard, and unlike the member for Bragg who said that you were being a little selfish, I will put it a little differently: you will be missed. I think your work in this place has been outstanding. Everybody who has worked with you and had your assistance could not fail to be thankful for that assistance. Not just your immense knowledge but, as I said, your patience and tolerance, your personality and the way you go about your business has been quite fantastic. I personally offer you my thanks for that and I join others in wishing you all the best for your future. You will be missed.

Mr GOLDSWORTHY (Kavel) (16:19): I wish to take a few minutes to offer my support for the motion that the Deputy Premier brings to the house in congratulating Mr Richard Dennis for his long and distinguished service to the parliament as parliamentary counsel. My association with Mr Dennis I think is the longest standing of any of the 69 members who currently represent the parliament, because Richard and I were schoolmates. We were in the same years at school for a couple of years, and that dates back more than 40 years. We are showing our age in relation to that, but our association dates back longer than 40 years from being schoolmates.

I remember Mr Dennis as a schoolboy, as being a very personable, very cooperative, courteous, friendly and cheerful individual. I am pleased to say that, during my dealings with him since I have been a member of this place for the last 14 years, he has certainly retained those characteristics in his adult life. Any dealings I have had with Mr Richard Dennis have been on that basis. He is very cooperative, friendly, cheerful, and we even have a chat and a coffee and so on together. I know that in my time in this place I have not necessarily carried an enormous legislative workload, but during my time as a shadow minister there were calls for me to have amendments to bills drafted, and I sincerely appreciated the cooperation that Richard and his team provided me.

The Deputy Premier and the deputy leader have highlighted Richard's very comprehensive CV, obviously revealing his talents, professionalism and skills in his role as parliamentary counsel. The Deputy Premier spoke about his capacity to understand and then be able to put in words very complex legislation. Part of that capacity he may have inherited. Quite a number of old scholars at school knew his father, who was a master at the school. His father's nickname was 'Argus' Dennis, Argus a nickname coming from Greek mythology. It meant that Mr Dennis had this enormous capacity to hold a huge amount of knowledge, and obviously that capacity, as the Deputy Premier has outlined, has been inherited by his son Richard.

It is a pleasure to speak to the motion. Thank you Mr Dennis for all your efforts while you have been in this very important position as parliamentary counsel. I want to join with my colleagues to wish you all the very best for your future endeavours, and your family as well, and, you never know, we might catch up at an old scholars dinner.

The SPEAKER (16:23): I would like to express my support for the motion. It appears that Richard Dennis has drafted his last Barton Road reopening bill, and that will now fall to others. Richard took over after Geoffrey Hackett-Jones retired. He had very big shoes to fill and filled them well indeed. Richard bore the heat and burden of the day when the Rann government had a massive

legislative program. His work was of the highest standard. He assumed that burden cheerfully and it was always a pleasure to work with Mr Dennis. I wish him very well in whatever he now does.

Motion carried.

Bills

LOCAL GOVERNMENT (BUILDING UPGRADE AGREEMENTS) AMENDMENT BILL

Second Reading

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (16:26): 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 South Australian Government recognises that economic development and environmental benefits are not mutually exclusive. The introduction of Building Upgrade Finance is a clear demonstration of this.

The Local Government (Building Upgrade Agreements) Amendment Bill 2015 is a first step in delivering the State Government's commitment to establish a Building Upgrade Finance mechanism in South Australia.

The South Australian Government recognises the importance of improving the environmental performance of our aging buildings. One-fifth of our greenhouse gas emissions come from the energy used in buildings, with new development adding less than five per cent to our building stock every year. It is quite clear that upgrading our existing buildings is critical to achieving the State's long-term climate change, renewable energy, energy efficiency and sustainable water use targets and vibrancy aspirations.

Upgrading buildings also makes economic sense, not only for building owners and occupiers as a means of managing their utility costs, but for the green industries that can provide the clean technologies and solutions that lift building performance.

The State Government has a proven record in supporting and encouraging sustainable developments. We:

- introduced energy efficiency and sustainability performance requirements to government's own accommodation;
- increased requirements for the energy efficiency of both residential and commercial buildings in line with the National Strategy on Energy Efficiency; and
- introduced a cool-roofs requirement for commercial buildings in the Building Code of Australia as a State variation.

We also:

- introduced the Residential Energy Efficiency Scheme, and continued it with some changes until 2020, as the Retailer Energy Efficiency Scheme. The new scheme will maintain focus on delivering energy efficiency benefits to low income households and enable activities to also be delivered to small and medium businesses;
- developed a water sensitive urban design policy;
- provided financial support to projects demonstrating innovative ways to reduce the carbon footprint of existing commercial buildings through the now completed \$2 million Building Innovation Fund; and
- facilitated the delivery of sustainable precincts such as Bowden and Tonsley developments, and previously the Lochiel Park green village.

The South Australian Government also understands the need for further action to tackle market barriers that often impede commercial building upgrades from going ahead. Key barriers include access to the capital to fund upgrade projects, and the split incentive between landlords and tenants in leased buildings, where the building owner incurs the cost of the upgrade, but the tenant receives the benefits through reduced utility bills and improved accommodation.

The Bill establishes a mechanism specifically designed to overcome these barriers, thereby helping to unlock retrofitting activity and realise the associated environmental and economic benefits.

Equivalent mechanisms have already been established in the City of Melbourne and New South Wales. In September 2015, Victoria proclaimed legislation which extends the coverage of their mechanism beyond the City of Melbourne to all Victorian councils. This makes South Australia the third Australian jurisdiction to establish a

mechanism. In developing this Bill we have drawn upon the best of the interstate legislative models, and have sought to harmonise with these as much as possible.

Under the Building Upgrade Finance mechanism, a local council can voluntarily enter into a building upgrade agreement with a building owner and a financier. Under a building upgrade agreement the building owner agrees to undertake upgrade works in respect of their building. The financier agrees to advance money to the building owner for the purpose of funding the upgrade works, and the council agrees to levy a building upgrade charge against the land on which the building is situated. This charge is paid by the building owner to recoup the money advanced by the financier for the upgrade works, and is passed on to the financier by the council once received from the building owner.

As a result of the arrangement, the loan is effectively tied to the property rather than the property owner, with loan repayments collected via the building upgrade charge. In the event of the transfer of ownership of the property, the charge can remain with the property if the purchaser so agrees.

The strength of the mechanism lies within this statutory charge. The charge effectively secures the loan, being ranked senior to mortgages, taxes and other charges in the event of default. This provides heightened security to the financier, allowing them to offer finance to the building owner at more attractive terms.

Under many commercial leases, tenants pay local government charges. Building Upgrade Finance provides an avenue for building owners and tenants to share the costs and benefits of building upgrades.

These features collectively help to overcome the access to finance and split incentive barriers previously described, thereby helping to unlock investment in building retrofits and realising the associated economic and environmental benefits.

The Bill provides for the introduction of this mechanism in our State and builds on an extensive body of work undertaken by the State Government in collaboration with local government.

In April 2012, the Premier's Climate Change Council endorsed advice to the former Minister for Sustainability, Environment and Conservation recommending that the South Australian Government work with the local government sector to develop the business model and the business case for establishing Building Upgrade Finance for commercial buildings in South Australia.

The State Government listened. In 2012, we issued a consultation paper seeking views from stakeholders regarding the establishment of the mechanism in our State. Feedback from the property, finance and local government sectors indicated overall support for the intent of the mechanism, and indicated the need for further investigations.

We also undertook an investigation into the location and potential scale of the commercial building retrofitting opportunity in South Australia. Modelling undertaken in 2012 concluded that the retrofitting potential of commercial office buildings in the Adelaide CBD and fringe alone could unlock significant capital investment in environmental upgrades, generate jobs and achieve greenhouse gas savings.

Further, in collaboration with the Local Government Association of South Australia and the Adelaide City Council, the State Government undertook the development of a business model and business case for Building Upgrade Finance in South Australia.

The business case completed in 2013 determined that Building Upgrade Finance could unlock significant investment in building upgrades in the Adelaide CBD alone.

We subsequently developed the draft legislation, which we released on 30 January 2014 for a ten week public consultation process. Consultation closed on 11 April 2014 and feedback from the property, finance and local government sectors was received. It was carefully considered and has informed the Bill.

In summary, the Bill contains enabling amendments to the *Local Government Act 1999* which:

- authorise South Australian councils to enter into building upgrade agreements with owners of existing buildings and finance providers;
- authorise councils to levy a building upgrade charge against land subject to a building upgrade agreement;
- provide for a building owner to recover contributions towards a building upgrade charge from tenants occupying the building, providing certain conditions are met; and
- provide for the establishment of subsequent regulations.

The Bill extends the scope of the mechanism to environmental upgrades which are defined as works that improve the energy, water or environmental efficiency or sustainability of a building. The Bill also provides for flexibility to apply the mechanism more broadly in the future by extending the eligibility to other upgrades via subsequent regulations. The State Government intends to utilise this provision to deliver on the second part of its commitment to extend the mechanism to heritage upgrades. Stakeholders will be consulted regarding this approach prior to finalising a subsequent regulation.

The Bill provides for the inclusion of buildings situated on various types of Crown land. In cases where there is a custodian of Crown land, the Bill specifies that the Minister responsible for administration of the *Crown Management Act 2009* can delegate the power to enter into a building upgrade agreement to this custodian.

The legislation restricts the application of the mechanism to existing buildings, which are defined as buildings constructed at least two years prior to the making of the building upgrade agreement. It also provides for further restriction of the scope of the mechanism via the regulation. It is intended that the regulation will restrict the mechanism to commercial buildings, defined as buildings used wholly or predominantly for commercial, industrial or other non-residential purposes.

As I mentioned, the Bill authorises local councils to enter into a building upgrade agreement with a financier and a building owner to give effect to the arrangement described earlier. Other persons can also become a party to the agreement if the local council, the financier and the building owner agree.

The Bill specifies an 'over-leverage' test which is to apply to all eligible projects to minimise any financial risks to the financier and to the first mortgagee, and to ensure the viability of projects that obtain building upgrade finance. The test requires that the cumulative debt against the property when added to the total value of the building upgrade charge must be no greater than eighty per cent (80%) of the capital value of the land prior to the upgrade works being undertaken. The eighty per cent threshold is the outcome of the amendment by the Hon John Darley MLC. This amendment strengthens the 'over-leverage' test and balances the interests of stakeholders.

In addition, the Bill specifies the requirements of a building upgrade agreement and its contents. Subject to the passage of the Bill through Parliament, the State Government will develop a building upgrade agreement template to assist local councils, financiers and the property industry with entering into the tripartite agreement and to reduce their legal costs.

The provisions stipulate that after entering into a building upgrade agreement, the council is required to declare a building upgrade charge in respect of the relevant land and to issue the building owner with a notice. The Bill specifies information that needs to appear in the notice, and provides for further specification via regulation if required. Money paid to the council in respect of the building upgrade charge must be passed on by the council to the finance provider, after deduction of any authorised council fees.

To ensure that any prospective buyer of a property that is subject to a building upgrade agreement is informed of the building upgrade charge, the Bill requires the building upgrade charge be included in the council's certificate of liabilities.

It also provides for adjustment of building upgrade charge payments in the event of the termination of a building upgrade agreement before all funds are advanced to the building owner.

The Bill provides for councils to sell relevant land if a building upgrade charge remains unpaid for more than three years. This is consistent with existing sale of land powers with respect to unpaid council rates under the *Local Government Act 1999*. It also specifies the order of payment of outstanding debts against the property, where the liability against a building upgrade charge ranks above registered mortgages and any liability to the Crown. However, the sale of land provisions do not apply to Crown land.

Participation in the mechanism is voluntary and no party can be obligated to participate. For local councils this means that they can choose whether or not to offer this service within their municipal areas.

The Bill is designed to ensure that local councils are not exposed to any additional financial liability associated with their role in administering the mechanism. Most importantly, the Bill is clear that councils are not liable to pass any money on to the financier until the building upgrade charge has been paid to, or recovered by the council. The councils are required to use their best endeavours to recover the charge, but failure by a building owner to pay the building upgrade charge does not make the council liable to pay any outstanding amount to the financier.

This legislation provides for a building owner to recover contributions towards a building upgrade charge from a tenant occupying the building as a means of enabling building owners and tenants to share the costs and benefits of the building upgrades. This applies despite the provisions of the *Retail and Commercial Leases Act 1995* for leases captured under this Act.

To ensure that this occurs in a fair and transparent manner without adding administrative complexity, the Bill specifies two pathways under which the tenant contribution can be recovered by the building owner, which are if:

- the tenant consents; or
- the amount recoverable by the building owner as a contribution does not exceed a reasonable estimate of the cost savings to the tenant resulting from the upgrade works during the period to which the contribution relates. The cost savings must be estimated in accordance with an approved methodology which will be developed by the State Government and published in the Government Gazette.

It is anticipated that further provisions relating to this pathway will be defined through subsequent regulations. In particular, it is envisaged that under regulations building owners would be required to report annually on the actual cost savings to tenants using the approved methodology, unless otherwise agreed. The subsequent regulations are also anticipated to provide for make-good provisions in the event that the tenant's contribution has exceeded their

actual cost savings. This will clearly afford tenants legislative protection and a means of redress. Stakeholders will be consulted regarding these additional requirements prior to finalising the subsequent regulations.

Further, during the debate in the Legislative Council, the Hon Ian Hunter MLC, Minister for Climate Change, has commended the constructive input by the Hon John Darley MLC in relation to tenant protection provisions. The Minister indicated that the Honourable Member will be consulted during the drafting of these regulations. This offer was also extended to any other member who wished to constructively engage in this matter.

The Bill also requires participating councils to maintain a register of building upgrade agreements accessible to the public free of charge.

It entitles the Minister to require reports from councils on building upgrade agreements entered into by the council, and provides for the setting of regulations if required to support the enabling legislation.

To assist building owners with taking advantage of this new financing mechanism and to minimise resource impacts on local councils, the State Government has committed \$1.9 million over four years for the establishment and operation of Building Upgrade Finance in South Australia.

Part of the funding will be used to develop the building upgrade agreement template and the approved methodology for estimating cost savings; to facilitate an initial suite of projects as a means of building capacity and educating the industry; and to undertake a review of the mechanism in its third year of operation. The majority of this funding is envisaged to go towards the establishment, and operation over four years, of a central administrator. The administrator is expected to support participating councils, by undertaking most of the functions associated with the administration of building upgrade agreements, and to reduce associated costs to participating councils. This is consistent with the feedback we received through consultation. Subject to the passage of this Bill through Parliament, the State Government will continue to work with local government to develop a robust delivery framework.

Since we've started on this journey, the awareness of this new financing mechanism has increased both nationally and in the State. As I mentioned, Victoria has extended the coverage of the mechanism beyond the City of Melbourne to all Victorian councils. The Australian Government also provided funding to ClimateWorks Australia and the Sustainable Melbourne Fund to improve awareness, information, resources and skills across the property sector in relation to these mechanisms. This work has been completed in early 2015.

Two financiers have established dedicated Environmental Upgrade Agreement Investment Funds in partnership with the Australian Clean Energy Finance Corporation totalling over \$100 million to invest in such projects, and a third financier is active in the market. Approximately \$45 million has been invested to date in Victoria and NSW.

Other states, territories and cities have commenced investigations into the establishment of similar mechanisms in their jurisdictions and are watching what is happening in South Australia.

This Bill responds to the Premier's Climate Change Council's advice, '*South Australia's climate change vision: Pathways to 2050*', released in February this year, which identified the development and promotion of Building Upgrade Finance as a priority action.

The South Australian Division of the Property Council of Australia is supportive of the introduction of the mechanism.

The Bill has the in-principle support of the Local Government Association of South Australia. The Adelaide City Council has also notified the State Government of its continued in-principle support for the establishment of Building Upgrade Finance in South Australia.

The commitment to develop Building Upgrade Finance in South Australia is also outlined in the climate change sector agreement between the State Government and the Local Government Association of South Australia which was renewed in 2013.

Implementation and delivery of the Building Upgrade Finance mechanism is also one of the key focus areas of the Carbon Neutral Adelaide Sector Agreement with the Adelaide City Council, which was signed on 29 November 2015 under South Australia's climate change legislation.

Introducing Building Upgrade Finance in South Australia is also one of the actions under the State's new climate change strategy 2015-2050.

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 *Local Government Act 1999*

4—Amendment of section 4—Interpretation

The proposed amendment inserts definitions related to proposed Schedule 1B.

5—Amendment of section 44—Delegations

The proposed amendment amends section 44 so as to prevent a council from delegating certain powers relating to building upgrade agreements, except to the chief executive officer of the council (who may not subdelegate the powers).

6—Amendment of section 187—Certificate of liabilities

This amendment is consequential on the insertion of Schedule 1B.

7—Insertion of Schedule 1B

This clause proposes to insert Schedule 1B into the principal Act:

Schedule 1B—Building upgrade agreements

Proposed Schedule 1B provides for a building owner, a council and a finance provider to enter into an agreement (a *building upgrade agreement*) under which the finance provider advances money to the building owner to undertake upgrade works on the building and the council agrees to levy a charge on the land on which the building is situated (a *building upgrade charge*) to be paid by the building owner for the purpose of recouping the money advanced.

Certain restrictions (for example, on the types of buildings that may be the subject of building upgrade agreements) are provided for.

Proposed Schedule 1B also makes provision in relation to the contents of building upgrade agreements, the voluntary nature of agreements and the variation or termination of agreements.

A council which enters into an agreement is required to declare a building upgrade charge in relation to the agreement and give notice of the charge to the building owner specifying particular details. The Schedule makes provision for the payment of the charge and provides that a building upgrade charge is a charge against the land.

Proposed Schedule 1B empowers a council to sell the relevant land if a building upgrade charge remains unpaid for more than 3 years. Provision is made in relation to matters related to the sale of land, including the order in which the proceeds from such a sale are to be applied.

A council is not liable for the failure by a building owner to pay a building upgrade charge; a council is required to use its best endeavours to recover a charge.

Proposed Schedule 1B authorises a lessor to recover a contribution towards a building upgrade charge from a lessee within a building so long as the lessor complies with specified requirements.

A council must keep a register of building upgrade agreements and may be required to provide a report to the Minister on building upgrade agreements.

Regulations may be made for the purposes of Schedule 1B.

8—Amendment of Schedule 6—Charges over land

This amendment is consequential.

Schedule 1—Transitional provision

1—Variation of term of lease—contribution towards building upgrade charge

This clause inserts a transitional provision for the purposes of the measure.

Debate adjourned on motion of Ms Chapman.

STATUTES AMENDMENT (YOUTH COURT) BILL*Final Stages*

Consideration in committee of the Legislative Council's amendments.

(Continued from 10 September 2015.)

The Hon. J.R. RAU: I thought I would say just a few things about what our proposals are and where we are going with this piece of legislation. I have some filed amendments which I believe people have seen and have been distributed, so I will give a short explanation about this.

The Youth Court bill, as first passed by the House of Assembly, proposed that the head of the Youth Court be a District Court judge or the Chief Magistrate, who is actually, by reason of the statute, also a District Court judge. In the other place, the Hon. Andrew McLachlan filed amendments which were passed in the other place and which had the effect that the head of the Youth Court must be a District Court judge and not the Chief Magistrate.

That is not really satisfactory from our point of view. As a result of recent discussions, I have filed alternative amendments that propose the principal judicial officer of the Youth Court will be the senior magistrate of the Youth Court, being a magistrate who is designated by proclamation to be the senior magistrate. In other words, it is going to be a group of dedicated magistrates. This is not a circulating pool of magistrates. These are dedicated magistrates who are doing Youth Court work all the time, they are not on a roster or something else. That is the first thing. The second thing is that they are led by a designated full-time Youth Court senior magistrate who will be gazetted as such. So, although they are all appointed under the Magistrates Act, they are to all intents and purposes a discrete court of their own with their own business. That is what we are proposing.

It has always been intended by the bill that the Youth Court will continue to be a separate jurisdiction, and this maintains that, and to operate out of a separate court, and this maintains that. The effect of the alternative amendments is that there will be a principal judicial officer of the court who will be, as I said, the senior magistrate, who is dedicated to that role—they do not do anything else—and they will support the dedicated magistrates who will be in that court. Again, I make the point, these are dedicated magistrates; they are not rolling in and out; they are there full-time.

I anticipate that this will allay some of the concerns that have been raised in relation to the bill as it was first passed by the House of Assembly, which were focused on the need to ensure judicial officers of the Youth Court have appropriate experience, expertise and specialisation in youth matters. The alternative amendments alter the bill in the following ways: first of all, all reference to 'judge of the Youth Court' is changed to reference to 'senior magistrate of the Youth Court.' Secondly, in the absence of the senior magistrate from the court, responsibility for administration of the court devolves on the most senior of the magistrates available to assume that responsibility, which is consistent with the provision that currently exists in the Youth Court Act in relation to the senior judge of the Youth Court.

The Remuneration Tribunal may determine that the senior magistrate of the court's salary or allowance as a magistrate will have an additional component on account of holding office under the Youth Court Act. My expectation would be that that is indeed what would happen: there would be a consideration of this matter by the Remuneration Tribunal and they would fix an additional salary increment which would be particular to this new role, over and above the ordinary salary of a magistrate.

In relation to appeals from the Youth Court, while the senior judge of the Youth Court currently hears some appeals, the senior magistrate will not. All appeals from the Youth Court will go to the Supreme Court, and this is consistent with appeals provisions in the Magistrates Court Act. This is one of the things we are doing around the place as we are reforming things. We are trying to get some consistency in the appeal processes, so if it is good enough for a justice's appeal from the Magistrates Court to go to the Supreme Court, why is it not good enough for an appeal from the Youth Court to go to the Supreme Court?

An amendment is proposed to the Cross-border Justice Act 2009. The Cross-border Justice Act was not amended by the bill as first introduced into the House of Assembly. In section 7(1) of the Cross-border Justice Act 2009 the term 'prescribed court' is defined as:

...the Youth Court of South Australia other than when constituted by or so as to include a judge;

This definition needs to be amended as part of the package of alternative amendments as the Youth Court will no longer be constituted by a judge at any time.

I think that really covers off on the points. The in-house amendments do not change the bill to the extent that it relates to other Youth Court magistrates and, as already noted, there will be a requirement for there to be at least two magistrates who are designated as members of the court's principal judiciary and are, in other words, dedicated Youth Court magistrates.

When you add all of that up, we are going to have a court which is at least three people strong, and one of those people will have the designation Senior Magistrate. That person will, to all intents and purposes, be the person in charge of that court. They and at least two other designated magistrates will be permanently Youth Court magistrates, they will not be floaters, and they will be therefore people whose sole task it is to deal with matters relating to youth issues as required by various acts.

As I said, I think that to the extent that there has been some reference made to whether or not there should be District Court judges or otherwise, a senior dedicated full-time particular magistrate combined with a direct line of sight appeal from there to the Supreme Court is, I believe, a good solution to address some of the matters of concern raised in the other place. They are my general thoughts on the matter. I move:

That the House of Assembly disagree with the amendments Nos 1 to 5 made by the Legislative Council and make the following alternative amendments.

No.1 Clause 4, page 3, line 14 [clause 4, inserted section 9(1)(a)]—

Delete 'Judge' and substitute 'Senior Magistrate'

No.2 Clause 4, page 3, line 15 [clause 4, inserted section 9(1)(b)]—

Before 'magistrates' first occurring insert 'Other'

No.3 Clause 4, page 4, line 3 [clause 4, inserted section 10(1)]—

Delete 'Judge' and substitute 'Senior Magistrate'

No.4 Clause 4, page 4, lines 4 to 7 (inclusive) [clause 4, inserted section 10(2)]—

Delete subsection (2) and substitute:

(2) The Senior Magistrate of the Court is a magistrate designated by proclamation as the Senior Magistrate of the Court.

No.5 Clause 4, page 4, lines 8 to 10 (inclusive) [clause 4, inserted section 10(3)]—

Delete subsection (3) and substitute:

(3) A proclamation designating a person as the Senior Magistrate of the Court must—

(a) state a term (not exceeding 5 years) for which he or she is to be the Senior Magistrate; and

(b) classify the Senior Magistrate as a member of the Court's principal judiciary (being a member who is to be occupied predominantly in the Court).

No.6 Clause 4, page 4, lines 11 to 13 [clause 4, inserted section 10(4)]—

Delete subsection (4) and substitute:

(4) At the expiration of a term of office, a person—

(a) may be designated by subsequent proclamation as the Senior Magistrate of the Court for a further term (not exceeding 5 years) stated in the proclamation; and

(b) if so designated, must be classified in the proclamation as a member of the Court's principal judiciary.

No.7 Clause 4, page 4, lines 16 and 17 [clause 4, inserted section 10(6)]—

Delete 'Judge' wherever occurring and substitute in each case 'Senior Magistrate'

No.8 Clause 4, page 4, line 20 [clause 4, inserted section 10(7)]—

Delete 'Judge' and substitute 'Senior Magistrate'

No.9 Clause 4, page 4, lines 22 to 25 (inclusive) [clause 4, inserted section 10(8)]—

Delete subsection (8) and substitute:

(8) In the absence of the Senior Magistrate of the Court from official duties as the principal judicial officer of the Court, responsibility for administration of the Court devolves on the most senior of the magistrates of the Court who is a member of the Court's principal judiciary and is available to assume that responsibility.

No.10 Clause 4, page 4, lines 26 to 29 [clause 4, inserted section 10(9)]—Delete subsection (9)

No.11 Clause 4, page 4, line 30 [clause 4, inserted section 10(10)]—Delete 'Judge of the Court may (if he or she is not the Chief Magistrate)' and substitute:

Senior Magistrate of the Court may

No.12 Clause 4, page 4, lines 33 to 41 [clause 4, inserted section 10(11)]—

Delete subsection (11) and substitute:

- (11) The Remuneration Tribunal may determine that the Senior Magistrate of the Court's salary or allowances as a magistrate will have an additional component on account of holding office under this Act.
- (12) Any salary or allowances payable as an additional component of remuneration under subsection (11) cannot be reduced during the person's term of office as Senior Magistrate of the Court.

No.13 Clause 5, page 5, line 3—Delete 'Judge' and substitute 'Senior Magistrate'

No.14 Clause 6, page 5, line 6—Delete 'Judge' and substitute 'Senior Magistrate'

No.15 Clause 7, page 5, line 9 [clause 7(1)]—Delete 'Judge of the Court or a' and substitute:

Senior Magistrate of the Court or another

No.16 Clause 7, page 5, lines 13 and 14 [clause 7(2)]—Delete 'Judge of the Court nor a' and substitute:

Senior Magistrate of the Court nor another

No.17 Clause 7, page 5, line 22 [clause 7(4)]—Delete 'the Judge of the Court or'

No.18 Clause 8, page 5, line 25—Delete 'Judge' and substitute 'Senior Magistrate'

No.19 Clause 9, page 5, lines 30 to page 6, line 9 [clause 9(2), inserted subsection (2)]—

Delete subsection (2) and substitute:

- (2) The appeal lies—
 - (a) if the judgment is given by the Senior Magistrate of the Court or any other magistrate—
 - (i) in the case of an action relating to a major indictable offence—to the Full Court of the Supreme Court; or
 - (ii) in the case of any other judgment (including an interlocutory judgment)—to the Supreme Court constituted of a single Judge; or
 - (b) if the judgment (including an interlocutory judgement) is given by a special justice—to the Supreme Court constituted of a single Judge.

No.20 Clause 9, page 6, line 11 [clause 9(3)]—Delete '(2)(b)(ii)' and substitute '(2)(a)(i)'

No.21 Clause 10, page 6, line 14—Delete 'Judge' and substitute 'Senior Magistrate'

No.22 Clause 13, page 6, line 38 [clause 13(1)]—Delete 'Judge' and substitute 'Senior Magistrate'

No.23 Clause 13, page 7, line 2 [clause 13(2)]—Delete 'Judge' and substitute 'Senior Magistrate'

No.24 Clause 14, page 7, line 6—Delete 'the Judge of the Court or'

No.25 Clause 15, page 7, line 10—Delete 'Judge' and substitute 'Senior Magistrate'

No.26 Clause 17, page 7, line 24 [clause 17(3)]—Delete 'the Judge of the Court or'

No.27 Clause 19, page 7, line 36 [clause 19(1)]—Delete 'the Judge of the Court or'

No.28 Clause 21, page 8, line 7—Delete 'the Judge of the Court or'

No.29 Clause 22, page 8, line 9—Delete all words in line 9 and substitute:

Section 29(1)—delete 'Judge' and substitute 'Magistrate'

No.30 New Part, page 8, after line 9—After Part 5 insert:

Part 5A—Amendment of *Cross-border Justice Act 2009*

22A—Amendment of section 7—Interpretation

Section 7(1), definition of *prescribed court*, (a)(ii)—delete 'other than when constituted by or so as to include a judge'

No.31 Clause 23, page 8, line 13—Delete 'the Judge of the Court or'

No.32 Clause 24, page 8, line 17—Delete 'the Judge of the Court or'

No.33 Clause 25, page 8, line 20—Delete 'the Judge of the Court or'

Ms CHAPMAN: Sometimes the Attorney has a good idea but behaves badly. Sometimes he has a really bad idea but he is very polite and professional about it so we sort of take that into account. Sometimes he has a really bad idea and also behaves badly, and we are at the third. This piece of legislation is flawed from the outset for all of the reasons we have previously canvassed, that is, the government's attempt to downgrade the leadership and governance and model of judicial application for youth matters to save money and to probably be part of a greater picture to get rid of the District Court altogether. However, let us just stick to what we have got.

The Hon. J.R. Rau interjecting:

Ms CHAPMAN: Anyway, I will not be distracted by the poor behaviour. Let me get back to the substance of the poor act, and that is that unquestionably the question of the leadership and the seniority of the court and the public confidence in it demands that it continues to have a District Court head judge at the helm of this court.

I will not traverse all of those arguments again. I acknowledge that the Attorney proposes that the principal judicial officer is to be now a magistrate or a special magistrate (is his second option) and that there are appeal powers that change from the current process to lying with the Full Court of the Supreme Court, although from my recollection of this legislation it does allow the Chief Justice of the Supreme Court to determine that that be constituted by only two Supreme Court justices for that purpose, so it seems to be a special provision even in that area.

When we debated this in the first instance, the commissioner for review of child protection systems, Margaret Nyland, also a former retired Supreme Court judge, made it very clear that she felt that this was the wrong direction. It was her view, which she published to both the Attorney and me, that it was not a course to be undertaken.

Then the government decided, as the Attorney has pointed out, that they would propose an alternative structure and the Attorney wrote to me—and, no doubt, others who are involved in this debate—about the outcome of a meeting in October which the Hon. Andrew McLachlan MLC attended with a member of the Attorney's staff, the former chief magistrate and the Senior Judge of the Youth Court. He wrote to me and said:

In that meeting it was resolved that the government would prepare amendments to the Bill which would provide for the Youth Court to have a Senior Magistrate as its principal judicial officer and additional magistrates who are dedicated Youth Court magistrates.

That is not an accurate assertion of the outcome of that meeting, and I have not only discussed that matter with Mr McLachlan, who is named in that group, but others who attended it. It was very disappointing, therefore, having been presented with this correspondence, to then find that it was not accurate and, in fact, there had not been any such agreement. Certainly, a proposal had been put on behalf of the Attorney's representatives about this alternative regime, as has been outlined by the Attorney and which is the same compromise position, if I can put it in that manner, but it certainly was not resolved; and I do not take kindly to that position being put when it clearly is not correct.

However, even in those circumstances, if it was a good idea, we would consider it, but it is not a good idea. In considering that aspect, as to whether that could allow the restructure to go ahead with this compromise position, again, I communicated with Commissioner Nyland and she made it very clear that this option was also not acceptable. She said:

I advise that I am opposed to the amendment. I have advised the Attorney-General that I do not support any amendment to the Youth Court Act which removes a District Court judge as head of jurisdiction. I indicated in my letter to the Attorney that the Youth Court has a significant part to play in shaping child protection policy and practices in this State and it makes some of the most important judicial decisions which affect our community—that is decisions which impact on the welfare and development of vulnerable children. The complexity and difficulty in applying relevant principles has been highlighted by a number of expert witnesses in submissions and evidence to this Commission and also from examination of some of the judgments delivered by that Court. I also believe that the description of some of

the Youth Court procedures, as mentioned in the course of the Chloe Valentine inquest, may have been simplistic and potentially misleading. These are all matters about which I expect to make observations in my final report.

She goes on to point out, again, that she considers the Youth Court to be a specialist jurisdiction and is deserving of having a District Court judge at its helm.

I do not understand why the Attorney-General and his government would pay millions of dollars to employ an experienced person such as Margaret Nyland, a retired Supreme Court judge, to investigate child protection matters, which is the core business of the Youth Court, and not take any notice of her. It is just beyond comprehension why the government would undertake that exercise, important as it is. We are expecting to have her report next year and we find we have not only got a piece of legislation introduced but, contrary to that, being rejected; and, when a further proposal is put up, it is again rejected.

In another piece of legislation that we will deal with later today I will be referring to Ms Nyland's views. I think it is incumbent upon us to listen to her, but that does not mean we have to accept every recommendation she might make. This has been a very longstanding inquiry. We are yet to receive her report, and the government in its haste to restructure and save money want to push this through. Not only are they trying to push this legislation through but they have already ripped out some of the structure as existed in the Youth Court because, legally, they are able to do so.

They need our consent and our blessing to be able to dispose of the District Court judge at the helm of this court. In April this year, they disposed of the obligation in respect to the second judicial officer being a judge who was called in from time to time to do trials, mostly, and replacing that with the appointment of a magistrate. They are doing the best they can to already carry out the effect of this legislation, but there is this one last bit that they want to be able to push through.

I think it would behove the Attorney to understand the report from his very own Courts Administration Authority which, of course, is prepared by the Chief Justice and members of the Courts Administration Authority entity, if I could describe it that way, because it does have a separate status to the department, being separate to the Attorney General's Department. This report has been tabled recently in our parliament, and it sets out a number of statistics in respect of the courts. The Youth Court is outlined at pages 23 to 26, and I am going to refer to some of it.

I would urge the Attorney to have a good read of it, if he has not already. He might like to note that the outstanding judgements for District Court judges is actually listed as at 30 June 2010, especially the ones that are over 12 months, of which there were three and about which he was going off to get some information, but we still do not have any response in respect of the Supreme Court judgements that are outstanding.

The report tells us that there has been an increase and decrease in various civil and criminal matters in those superior courts, but they have still got a lot of work to do, and the Magistrates Court continues to have a lot of work to do. Whilst there have been some parts of its jurisdiction transferred to fines, enforcement units and the like, it still has an enormous amount of work to do. In particular, in relation to the Youth Court it is detailed, as I have said, on page 23 onwards.

Let me highlight a couple of things. Firstly, whilst there has been a relatively small reduction in the number of criminal lodgements in the Youth Court in the last 12 months relative to last year, the number of care and protection lodgements has very significantly increased—something like 15 per cent or 19 per cent, so just let me clarify that. The care and protection or investigation and assessment applications have gone from 397 last financial year to 721 this financial year, which is a 44 per cent increase on the previous year.

It is not difficult to appreciate that in the child protection jurisdiction, the Youth Court is extremely busy. Whilst they also have a role in the adoption of children and applications for surrogacy orders, they are usually very small in number. In fact, there were only nine adoptions last year, and surrogacy, two. I do not want to diminish those, they are important matters for consideration, but if I look just at the child protection aspect, surely the Attorney realises that this is a major area that needs specialist and senior leadership.

One thing I will bring to the Attorney's attention is that, of the investigation and assessment lodgements in 2013-14, as I have said from 397 to 721, it is interesting to note—and this relates to one of the Coroner's recommendations in the Chloe Valentine case—that the number of lodgements last year was 794, and investigation assessment lodgements, 721. A very significant majority of the lodgements also had investigation and assessment lodgements with them. However, last year, the care and protection lodgements were 649, and only 397 of those had investigation and assessment lodgements with them. Margaret Nyland is right: there are very complex aspects in relation to these areas in particular and they need to have senior leadership.

On the criminal matters, I note from the DPP's annual report this year that the government has also ceased the provision for the conduct of prosecution of major indictable matters being dealt with by the DPP as a pilot, which Mr Ian Press SC reports having been very successful. Those matters are now back in the hands of police prosecutors. It seems that, at every level, the government is insisting on trying to save money at the expense of children, and that is just not acceptable to us.

The most concerning thing to me, which again is confirmed in the annual report, is that the Youth Court currently works on the basis that care and protection trials are listed within 10 weeks of the filing of the application, so that families are not left for months or years as currently applies in matters in other courts; and secondly, their criminal matters are dealt with and provided for trial within three to six weeks.

That is in stark contrast to the time spent waiting for a trial of matters in the other courts. I do not say that to reflect poorly on them. They claim, of course, as the Chief Justice does when he comes down to estimates every year, that they are significantly underresourced, they have vacancies of judges, they are being asked to slash their budgets, they spend all their time preparing for a new court and that gets slashed, and they have a lot of other problems.

But why on earth would we in some way diminish the total resource of the Youth Court—which is what this bill does—when this court is operating as it should be to deal with the prompt and efficient resolution of both criminal matters for children and the care and protection responsibilities that they have?

It is completely beyond me why the government should be so obsessed in wanting to downgrade the major indictable matters for prosecution and downgrade the court structure and not recognise the experience of those people who have worked in this field for something like 40 years, like Ms Nyland, and to persist with this. It can only be about money, and I, for one, consider that children and their future, their safety, their protection and the opportunity for them to have a second chance, if they are caught up with the law, are absolutely paramount. We should be prioritising that and not trying to diminish it.

All this business about, 'We'll keep it as a separate jurisdiction, but we're going to change who is in it, we're going to change who is responsible for dealing with these children in respect of the prosecution of the major indictables, and we're going to strip it of some resources along the way,' is just not acceptable to us. It is a bad idea and the bad conduct of the Attorney in trying to push this through is reprehensible. Notwithstanding that, the most important thing is that it will be bad for children and we will not accept those amendments.

Motion carried.

TATTOOING INDUSTRY CONTROL BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

Sitting extended beyond 17:00 on motion of Hon. J.J. Snelling.

VICTIMS OF CRIME (COMPENSATION) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 June 2015.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:56): I rise to speak on the Victims of Crime (Compensation) Amendment Bill 2015 and, on this occasion, welcome this bill and indicate that the opposition will support the same. We do propose amendments, and I will refer to those shortly. Essentially, the bill is to amend the Victims of Crime Act 2001. The Victims of Crime compensation scheme compensates people who are injured by crime, and this, of course, can include mental as well as physical injury. There is no proposal to expand the area of compensation outside of that, but there is, currently, a proposal to expand the amount available in certain circumstances. There has been no increase in the compensation available under the scheme since 1990, with a maximum payout of \$50,000.

Compensation is currently assessed on a scale of zero to 50 to reflect the extent of the loss, which is then multiplied by 1,000 to reach a final compensation figure. The Liberal and Labor parties, at the 2014 election, made commitments to double the maximum payout to \$100,000. Each of the major parties promised a doubling of the grief payment from \$10,000 to \$20,000 and to allow children of victims of homicide to be eligible for that payment (it is currently only available to the spouse or domestic partner of a homicide victim). Additionally, there were promises by each party to double the funeral expenses from \$7,000 to \$14,000. If a victim had died as a consequence of an offence and a person is responsible for payment of the victim's funeral expenses they are able to claim for that expense.

The bill will do a number of things, including, firstly, to amend the scale of compensation from zero to 50 to zero to 60, with the compensation amounts assigned to each value increasing. This amendment aligns the scale with the Civil Liability Act 1936. Secondly, it removes the court's discretion to order costs alternate to those provided in the regulations, although this does not apply to the Crown if costs are awarded against the complainant.

Thirdly, it increases the payments through the regulations available to solicitors representing victims of crime, from \$1,000 to \$1,400. Fourthly, it increases payments through the regulations available to counsel representing a victim of crime, from \$750 to \$1,000 for preparatory work, and the first five hours of the hearing on an application and \$200 an hour thereafter.

Fifthly, it creates an offence requiring that a claimant who receives compensation or damages from another source to notify the Attorney-General within 30 days, and there is a penalty of a \$1,250 fine if that is breached. Sixthly, it allows the Crown Solicitor to disclose to a victim information relating to the whereabouts of an offender for the purpose of the service of documents.

Members will be aware, in reading multiple annual reports in recent months, the Auditor-General's Report and the like, that the Victims of Crime Fund now has well over \$200 million in it. From our side of the house, we consider it scandalous that there has not been an upgrade of the maximum entitlement under this fund. It has always been understood that this is a payment that is not designed to fully compensate to the degree of the value of the loss or injury of the party.

It is a scheme which provides for some support and acknowledgement in the circumstances where people are victims of crime. Frequently, the offender or offenders are of impecunious means and/or in gaol; therefore, the capacity to be able to have some civil recourse is very often limited. This scheme has operated for many years—at least, I am old enough to remember (probably the Attorney does, too) when the criminal injuries compensation, which was its predecessor, had a maximum of \$2,000.

In its day, I can recall seeking that maximum amount for a client in the Supreme Court as a result of the client being multiply raped after an armed robbery by some scoundrels. She suffered brutally from this and had considerable injuries, and she really had to go through quite an arduous process, including being available to be cross-examined and the calling of evidence, to be able to just line up for \$2,000.

I suppose the objective of the scheme has always been that it would be relatively simplified, that there would be some attempt to resolve them early and that we would not be having extensive hearings on the application of this. That is probably the basis upon which the payments available to solicitors for doing these cases has been relatively low. There has been no incentive for them to go past putting in the application and trying to negotiate with the Crown the amount to be paid because

the incentive for them to continue on and be paid anything but a pittance is diminished as a result of that payment.

In other words, if they are going to go on, go past what is offered from the Crown and actually take the matter before a judge to be heard on application, they are really going to be doing it for free because the costs schedule with it is so paltry that it is a disincentive to be able to fight on for a fair settlement in these cases. There has been need for reform for some time. We have plenty of money in the fund available to make good. I understand the effect of this legislation is that it will have a retrospective application so that it will apply to all events that have occurred after 1 July this year, so that for the last four months, when no doubt there have been some applications piling up in solicitors' offices, they can then progress to have the benefit of that. Sadly, in my view, if this had been dealt with promptly after the election we could have had this on 1 July 2014 and made some provision for those who have been waiting for some time to have some level of reasonable compensation.

The government's decision to go from a one to 60 model is consistent with what they have done in other jurisdictions in relation to motor vehicle claims in relation to compensation. I am not going to go on at length about that. It would spoil the one occasion that I am being complimentary of the Attorney in bringing this bill to the house. We do welcome the legislation, but to have introduced a one to 60 model in any of these I think has been not so much unfair but dismissive of the importance of recognising compensation for what it is and letting people have a false hope of some reasonable increase in the categories other than catastrophic.

This is the third time we have come to this parliament to find that the government have promised a lot and then, when it comes to the detail, it is great for the person who has been catastrophically injured at a very serious level, the very few who would ever have the chance of getting the \$100,000 maximum, but for so many others they will have a relatively small increase. For many others, our understanding is that if there is an expectation of what you would have got under the act as it currently stands of, say, a \$7,000 payment, the best you are going to get out of this new model, because the scheme has changed (we have gone to a one to 60 scheme), will be \$9,000. I think there was an expectation that there would be some relative increase similar to the maximum, but clearly that is not the case.

Nevertheless, there are two aspects of this bill which we consider need attention; the first is to make provision for the costs not applying to the Crown. We say that the Crown should line up, effectively, to have the same right to costs as the claimant, otherwise we have an unfair situation again of the Crown being able to ask what it considers to be its costs without restriction; if the reverse occurs, and an application merits the claimant seeking an order for costs, they are going to be restricted to the total of \$1,400. That is not acceptable to us. It will be \$1,400 under the new regulation. I will be moving an amendment accordingly to delete subsection (2a) in clause 8.

The second area of amendment is to allow for the imposition of the levy to children—that is, children who are convicted of offences—to be relaxed in this way, namely, allowing the judge, who has the obligation currently without any discretion to impose a levy, to in fact have the discretion not to impose it if the person being convicted or sentenced is under the age of 18 years.

The exoneration of the defendant to pay that liability ought to be obvious to the government. It is not the first time we have raised it. It is not the first time others have raised it. It is my understanding that magistrates have raised this with the government, notwithstanding their blistering attempt to look like they are tough on everything and only support victims and do everything they can to smash the offenders and say, 'There will be no mercy to anyone who has convictions.'

They will have a levy applied to all the offences with no discretion or relief and no matter what their age or financial position. That has created this absurd situation where children sometimes receive an order that they pay a multiple group of the levy for multiple offences and, furthermore, that even if they are in a circumstance where they are not working and have no money and no capacity to pay, they are still ordered to pay it. There is absolutely no discretion, and magistrate after magistrate has raised it with me. They claim that it has been raised with the government, but it appears that the government, in their insistence on trying to look tough on law and order, has this absurd situation prevail and continue.

There has to be some relief because even this year, as we have clearly identified and as has been tabled in the annual report from the fines unit, the outstanding debt for levies to be paid by offenders has gone from something like \$38 million to \$52 million. That is a \$14 million increase just last year and that could be that more children are being prosecuted and are not paying or it could be that more adults are being prosecuted and are not paying. I do not know. We still do not know the answer as to why there has been such an increase, but it is logical, isn't it?

Of the hundreds of thousands of people who are prosecuted and are paying this levy, there is a good number of them who are children and there is a good number of them who are people who cannot pay so, at the very least, we say that in a known circumstance where children do not have access to that, unless they have a parent who is prepared to line up and actually pay for it for them, it is never going to be paid, so it is ridiculous to have it there and not have a situation where the judicial officer has the capacity to relieve that liability. That is the import of our second amendment.

Commissioner Nyland recently published a press release suggesting that that should be attended to. It suggested that it be actually removed. I did seek clarification from the commissioner on this in respect of her interim recommendation and she wrote as follows:

I advise that the recommendation is aimed primarily at the mandatory nature of the current obligation. I appreciate that there may be some circumstances in which the imposition of a victims of crime levy might be appropriate to the circumstances of a young offender, and would not conflict with the objects of the Young Offenders Act.

In those circumstances, while I remain of the general view that there is little utility generally in applying the levy to any youth, I would support an amendment which removes the mandatory nature of the obligation, and provides judicial officers with a discretion regarding its imposition.

I hope that the Attorney has got the message.

Wiser people than me support that obviously: commissioner Nyland, magistrates, others who had to deal with this issue, resulting in this senseless accumulation of debt which is continuing to spiral. If we were to apply some of the money that is used to accumulate and record all this debt and attempt to follow-up and enforce something that is clearly unenforceable, we would be well served to apply that to the rehabilitation and support of our young people, rather than employing people in a bigger bureaucracy to deal with it. With those few words, I will need to go into committee, but I hope that I will be brief in presenting amendments, and that they will receive some favourable support of the Attorney—a Christmas present would be nice!

The ACTING SPEAKER (Hon. T.R. Kenyon): What would you like, member for Bragg, anything special?

Ms CHAPMAN: It might be wishful thinking. He is not Santa Claus, I know that, but I am ever hopeful.

The ACTING SPEAKER (Hon. T.R. Kenyon): If you would like to pass on your list to the Government Whip I am sure we can make sure it gets to the Attorney.

Ms COOK (Fisher) (17:15): I rise today to make a brief contribution in support of the government's Victims of Crime (Compensation) Amendment Bill. The bill delivers on the election promise made by the government to double the amount of money that victims can access to an amount of \$100,000, as well as granting payments to the children of homicide victims. The compensation payment for grief will also double to \$20,000 and payments for funeral expenses will double to \$14,000. The bill also provides for the indexation of payments annually. This will ensure that compensation and other payments to victims of crime remain relevant over time.

As my colleagues in this chamber and many members of the public know, I lost my own son, Sam, in violent circumstances some 7½ years ago. He was indeed a victim of crime. My husband and I, as well as Sam's sister have suffered immeasurable grief since losing him. We are all victims of crime. There is absolutely nothing financial that can ever compensate for the loss of a loved one and, in our case, a son or brother. No amount of money can ease pain and give reasons to put one foot in front of the other or, in fact, just help you to get through the day.

With the work my family does to stop violent acts and, in fact, the work that I do in my community, there is some comfort. As with others who are victims, we have found a new 'normal' in

which to function. They find a way to scrape through life and these compensation payments can make that journey to the new normal just that little bit easier. The mark of a compassionate society must be the way that we look after the most vulnerable, and victims are at increased vulnerability in our community.

I am especially happy to see that children will now be able to access some funds after experiencing one of the most horrific things that can happen to a child, having a parent taken from them especially. In such a short time since being elected, I have already had several inquiries through my office by grandparents on behalf of their grandchildren, the most vulnerable victims of crime. It will be with enormous pride that I cast my vote in support of providing access to funds for children.

Having had the extremely emotional, stressful and draining task of planning the funerals for three of my immediate family over the past seven years, I am really happy to see the increased funds being set aside to assist with funeral costs. When a loved one is lost suddenly, it is in all likelihood that there will not be a prepaid funeral, as especially with the case of younger victims of crime, death is something we avoid discussing.

The sum of \$14,000 is more than enough to cover the cost of most funerals and this payment will definitely remove some of the anxiety associated with these decisions. I am also very eager to support the government now indexing payments. This will ensure that the victims receive a relevant payment to the crime committed against them, and to ensure that the Victims Compensation Scheme remains an important and integral part of the victim support process. Thank you for allowing me to speak to this, and I commend the bill to members.

Mr DULUK (Davenport) (17:18): Thank you, sir, and you look very good in that chair.

The ACTING SPEAKER (Hon. T.R. Kenyon): Thank you, sir. I have designs.

Mr DULUK: Grand designs. I also rise today to make a contribution to the Victims of Crime (Compensation) Amendment Bill 2015. Victims of crime often suffer a range of physical and psychological injuries which can have a devastating impact on both the victims and their families. Whilst financial compensation cannot redress the harm that victims suffer, payments are designed to help people address the suffering that impacts their lives afterwards.

Unfortunately, compensation payments available under the Victims of Crime Fund have not increased in South Australia since 1990, and I was about seven years old then. I support this bill and welcome the opportunity to endorse amendments which will increase the maximum amount of compensation payable to the victims of crime, and, of course, endorse the amendments to be moved by the member for Bragg.

Compensation payments in conjunction with the conviction and sentencing of the offender often help victims find some closure, and they also provide assistance on the long and slow process of psychological and physical recovery from the effects of crime. These changes are long overdue, and I welcome them to the house. Let us not forget that these changes were commitments at the last election by both parties, and it has taken some 18 months before we have seen some legislation to consider these changes. Without being too cynical, one often feels that the government has failed to prioritise victims of crime; and, of course, it is not for the first time, unfortunately.

The balance of the Victims of Crime Fund as at 30 June 2015 was \$203 million. During budget estimates the Attorney-General confirmed that the total moneys expected to be received into the fund in this financial year is a further \$68.7 million, and a total estimated expenditure of \$28.2 million is to come out of the fund.

The Attorney also confirmed that, over the forward estimates, the expected income for the fund is more or less stable between \$68 million to \$69 million, and with outgoings stable between \$20 million to \$30 million per annum, that is an expected inflow of approximately \$40 million year on year through to 2018-19. This essentially is a result of the Victims of Crime Fund increasing to well over \$300 million within that four years.

So, here we are, with over \$200 million in the Treasury coffers with a forecast of this to grow by more than \$100 million, and that is more than a 50 per cent increase in the four years, for maths and science students. How is this government planning to utilise these funds? That is a great

question, and today in question time the Minister for Corrections was not sure how much could be allocated from the fund from people who had been incarcerated for domestic violence offences.

Certainly some funds could be used out of that. We could support services, of course, for children who are victims of crime. We could consider allocating additional resources for our overburdened justice system. Of course, we could focus on better perpetrator programs and more early intervention in the youth justice systems, but, unfortunately, I do not know whether this is going to be coming.

Also during the budget estimates the Attorney-General was asked about the potential use of the fund and he was very circumspect in his options. He certainly kept his cards close to his chest. He does want to use the money, it is true. The Attorney in estimates said that he was thinking about using the money, but he put nothing on the table, and for me that is a bit of a problem. It is a bit of a problem to me because this government is using victims of crime to prop up this budget bottom line, and it has been doing so for years. Throughout the department, throughout the agency, time and again, we see price gouging, we see increases in the ESL and we see increases in other fees and charges to essentially prop up this \$11 billion debt that this government has.

Let us remember that it was only four years ago that the fund held less than \$100 million. It now holds about \$200 million, and in four years' time it is going to hold about \$300 million. There is no doubt the government could have increased compensation to victims of crime several years ago. It did not. It could have explored opportunities to use the fund for the benefits of victims. It has not.

The Attorney-General has repeatedly been asked by the opposition to consider ways to ensure that the Victims of Crime Fund is utilised, and too often I think those questions have been rebuffed, but it is good to see today that we are finally talking about this matter. I go back to why. Why are we here? For me, I am cynical. I have been here for 10 months and to me it is about the bottom line of the state coffers.

The victims of crime levy is imposed by legislation on any court fine or SA police expiation notice and all expiation notices once they have been enforced. The levy is paid to the Crown in order for people who are victims of crime to be able to draw on these funds if eligible.

The amount that can be spent in any one year from the Victims of Crime Fund is set in the context of the total state budget and any change to the net position of the fund will be reflected in the bottom line of the state budget. Any change that would affect the bottom line, of course, needs permission from cabinet and the Treasurer, permission that the Attorney-General has not been prepared to request so far. He will not because he knows what we know, that the state budget is in bad shape.

We have a massive \$279 million budget deficit for 2014-15, the public sector debt is well over \$10 billion and the government will pay \$971 million total in interest on all debt in this financial year. Of course, this interest will increase to \$1.4 billion in 2016-17 when the Royal Adelaide Hospital debt comes onto the balance sheet. This equates to an interest-only payment of just over \$3.8 million per day—\$3.8 million per day, every day, in interest only. It is no wonder that the ESL has increased as well, water prices have increased and South Australians are paying more but receiving less. With numbers like this, it certainly explains why the government is holding onto every dollar that it can.

Unfortunately, it is the people of South Australia who are once again forced to pay for this government's poor economic management. Victims of crime have been paying through inadequate compensation, a slow justice system and under-resourced support services, and ordinary South Australians pay by being slugged a fixed fee victims of crime levy regardless of the offence, a fee that the Rann Labor government doubled from \$30 to \$60 only a few years ago. Whilst I acknowledge that it is a levy that you only pay if you do commit an offence, to me, personally, \$60 is a hefty charge to add on top of an \$80 parking ticket or a \$160 speeding fine for going a few kilometres over the speed limit.

When it comes to parking and these sorts of infringements, it is indeed a levy that many South Australians struggle to pay. Under recent FOI documents, the value of unpaid victims of crime levies has skyrocketed to almost \$14 million in one year alone. In June 2015 there were more than \$52 million in unpaid levies, up from \$38 million as at 30 June 2014. The number of clients who have

not paid the victims of crime levy has increased by 53 per cent, meaning there are now almost 122,000 clients that have an unpaid victims of crime levy debt.

A fair proportion of those clients are, of course, people under the age of 18, juvenile offenders. A case has been brought to my attention by a constituent where a high school student did not have his student ID card on him at the time and was charged for using an incorrect concession card on the train. He had to pay the fine, including the victims of crime levy, notwithstanding that he produced his ID down the track to SA Police, and that is a matter we are dealing with at the moment.

The Victims of Crime Fund being awash with money that this government seems unwilling to unlock is a real disappointment. For me, the government could consider reviewing the size of the levy because there is money in the fund. It could consider providing relief to child offenders by allowing judicial discretion on whether the levy should be applicable, or it could stay true to form and continue to reach into the pockets of South Australians and rip their hard-earned money away, as we do so often with the ESL, SA Water prices and across the board.

The Commissioner for Victims' Rights continues to urge the government to improve not only compensation payments but also the types of services that are provided to the victims of crime. It is a view that I share and we certainly share on this side of the house. Victims of crime need support in what is a very challenging time in their lives. The legislative changes put forward in this bill provide the necessary and valuable updates to the victims of crime compensation scheme.

Whilst I welcome the bill, and certainly support it, I would like to see it go a little bit further. We have this kitty and the money is not being paid out, and there are so many avenues of good work to which these funds could be put—combating domestic violence, improving support services for children of victims of crime and, of course, helping our overburdened justice system, to name a few.

The reality is that the kitty is growing at a tremendous rate and the government, if it does not address these issues with the funds available, will be failing victims of crime. It continues to fail those members of the public who pay the victims of crime levy and expect the money to be used to the benefit of all South Australians.

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) (17:29): I will be very brief. First of all, I understood where the member for Davenport was going with his contribution, but I thought there was a slight bit of overreach when he talked about reaching into the hands of the pockets of South Australians and taking away their hard-earned money. The one word he did not add in, which would have made it a more complete sentence, was 'reaching into the pockets of South Australian criminals' taking money away. The omission of the word 'criminal' did change the spin a little, but otherwise I commend him for his concern for the criminal classes.

The other thing I wanted to say was in relation to the member for Bragg, who made the suggestion that I might in some way emulate Santa Claus and she might receive a gift. There is good news for the member for Bragg; that is, it is just as well for her that I am not Santa Claus, which means there will not be any need for her to sit on my knee in order to receive a gift.

Can I say that she had me at 'hello'. In fact, even before she spoke she had me because I looked at her amendments and I thought, 'My goodness, they are terrific, and it is Christmas. They are attractive. It is Christmas and I would love to give the member for Bragg a gift.' But before I could get to my feet and do that she had spoken for nearly three-quarters of an hour. I just want her to know that the gift could have been better and I could have spared her all that activity. So, those are my comments.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 7 passed.

Clause 8.

Ms CHAPMAN: I move:

Amendment No 1 [Chapman–1]—

Page 4, line 36 [clause 8(3), inserted subsection (2a)]—Delete subsection (2a)

I move the amendment for the reasons outlined in my previous contribution.

Amendment carried; clause as amended passed.

Clauses 9 to 11 passed.

New clause 11A.

Ms CHAPMAN: I move:

Amendment No 1 [Chapman–2]—

Page 5, after line 15—After clause 11 insert:

11A—Amendment of section 32—Imposition of levy

- (1) Section 32(2)—delete 'subsection (3)' and substitute 'this section'
- (2) Section 32—after subsection (3) insert:
 - (3a) A court may, at the time of convicting or sentencing a person under the age of 18 years for an offence, exonerate the defendant from liability to pay the levy in relation to that offence.
- (3) Section 32(7)(b)—before 'the court may not' insert:
subject to subsection (3a),

I move the amendment for the reasons outlined in my previous contribution, and I welcome the Attorney's indication of consent.

New clause inserted.

Remaining clauses (12 to 14) and title passed.

Bill reported with amendment.

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) (17:34): I move:

That this bill be now read a third time.

Bill read a third time and passed.

The Hon. J.R. RAU: I will move that the house do now adjourn.

Mr PISONI: Point of order, sir. The next item on the green paper says:

The Leader of Government Business will move—That standing and sessional orders be and remain so far suspended as to enable Private Members Business: bills, Order of the Day No.4 set down for today to take precedence over government business, except for the receipt and any consequential consideration of messages from the Legislative Council.

The ACTING SPEAKER (Hon. T.R. Kenyon): We have messages from the Legislative Council, and I will have the Leader of Government Business come down in the meantime.

FIREARMS BILL

Final Stages

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 3, page 6, lines 3 and 4 [clause 3(1)(a)]—Delete paragraph (a) and substitute:

- (a) to confirm that firearm possession and use is subject to the overriding need to ensure public safety; and

No. 2. Clause 4, page 7, line 3 [clause 4(1), definition of *ammunition*, (c)]—

Delete 'live primers, propellants and'

No. 3. Clause 4, page 7, line 13 [clause 4(1), definition of *arms fair*]—After 'firearms' insert:

, firearms parts or ammunition

No. 4. Clause 8, page 18, line 11 [clause 8(2)(k)(i)]—Delete '21' and substitute '28'

No. 5. Clause 8, page 19, line 29 [clause 8(2)(r)]—After 'firearm' insert 'or an air handgun'

No. 6. Clause 8, page 20, after line 19—After subclause (6) insert:

(7) In this section—

air handgun means a handgun designed to fire shot, bullets or other projectiles by means of compressed air or other compressed gas and not by means of burning propellant.

No. 7. Clause 48, page 57, after line 3—Before subclause (1) insert:

(a1) For the purposes of the *South Australian Civil and Administrative Tribunal Act 2013*, a review under section 47 will be taken to come within the Tribunal's review jurisdiction but, in the exercise of this jurisdiction, the Tribunal will consider the matter *de novo* (adopting such processes and procedures, and considering and receiving such evidence or material, as it thinks fit for the purposes of the proceedings).

No. 8. Clause 64, page 71, line 20 [clause 64(3)]—Delete '21' and substitute '28'

No. 9. Clause 75, page 78, lines 8 to 35 (inclusive) and page 79, lines 1 to 3 (inclusive) [clause 75(2) and (3)]—Delete subclauses (2) and (3)

No. 10. Schedule 1, Part 4, page 81, after line 17—After clause 5 insert:

5A—Amendment of section 267AA—Offence where unlawfully supplied firearm used in subsequent offence

Section 267AA(6), definition of *prescribed firearm offence*—after '*Firearms Act 1977*' insert:

or section 22(2)(a) or 45(9) of the *Firearms Act 2015*

No. 11. Schedule 1, Part 6, clause 9, page 82, after line 12—Insert:

(5a) Section 20AA(1), definition of *serious firearm offence*, (f)—delete 'section 10C(10) of the *Firearms Act 1977*' and substitute:

section 45(9) of the *Firearms Act 2015*

(5b) Section 20AA(1), definition of *serious firearm offence*, (g)—delete 'section 14 of the *Firearms Act 1977*' and substitute:

section 22(2)(a) of the *Firearms Act 2015*

No. 12. Schedule 1, Part 8, page 83, after line 2—Before clause 14 insert:

13A—Amendment of section 3—Interpretation

(1) Section 3(1), definition of *ammunition*—delete '*Firearms Act 1977*' and substitute:

Firearms Act 2015

(2) Section 3(1), definition of *firearm*—delete '*Firearms Act 1977*' and substitute:

Firearms Act 2015

No. 13. Schedule 1, clause 29, page 86, after line 29 [Schedule 1, clause 29(2)]—After paragraph (a) insert:

(ab) no application fee is payable in relation to an application for a licence authorising possession of a firearm, or an application for the registration of a firearm, if the firearm is a firearm within the meaning of this Act but was not a firearm within the meaning of the repealed Act because it was not designed to be carried by hand and—

(i) the applicant was in lawful possession of the firearm before the commencement of this clause; and

(ii) the application is made before the end of the transition period; and

(iii) the Registrar is satisfied that the applicant is—

- (A) a museum to which access is permitted to the public, whether for free or on payment of money; or
- (B) the RSL or a sub-branch of the RSL; or
- (C) a genuine collector of firearms of historical or other significance and genuinely has possession of the firearm for that purpose; and

No. 14. Schedule 1, clause 29, page 86, line 31 [Schedule 1, clause 29(2)(b)]—Delete 'deactivated'

No. 15. Schedule 1, clause 29, page 86, line 32 [Schedule 1, clause 29(2)(b)]—After 'paragraph (a)' insert:
or (ab)

No. 16. Schedule 1, Part 15, page 86, after line 34—After subclause (2) insert

- (2a) If an application for a licence, or for the renewal of a licence, to which subclause (2) applies also includes an application for authorisation to possess a firearm that does not fall within the ambit of that subclause, then that subclause does not operate to preclude the requirement for payment of an application fee in respect of the application insofar as it relates to the additional firearm.

No. 17. Schedule 1, clause 29, page 86, line 37 [Schedule 1, clause 29(3), definition of *deactivated firearm*]—
Delete 'only'

No. 18. Schedule 1, clause 29, page 86, after line 38 [Schedule 1, clause 29(3)]—Insert:

RSL means the Returned & Services League of Australia (S.A. Branch) Incorporated.

Consideration in committee.

Amendment No. 1:

The Hon. A. PICCOLO: I move:

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

Motion carried.

Amendment No. 2:

The Hon. A. PICCOLO: I move:

That the Legislative Council's amendment No. 2 be disagreed to.

We disagree with amendment No. 2 because the amount of ammunition that somebody can keep for up to 12 months—just to explain for the record, that is 12 months from the time the person may have an audit or a visit from the police. So, if the licensee who has the ammunition can satisfy the police that, going forward, it is 12 months, that will satisfy them.

Mr GARDNER: My comment on this is that the amount of live primer or propellant that one might naturally purchase would, in the general order of business, be much more than a 12 months supply for many people. If a person was to be charged for having propellant in excess of 12 months worth, which would be captured by the definition of ammunition under leaving 'propellant' in there, I think it would be useful—if the government is going to disagree with this and if the council is not going to insist on this—to have some comfort that there would not be a circumstance where if somebody was to buy, for example, 5,000 caps but they might only use a handful of those in a year. That is the nature of when you buy these things, that it is in large quantities. So, it would be useful for the minister to provide comfort to the council, I think, that such a person is never going to come under any danger because of the 12-month rule.

The Hon. A. PICCOLO: What I can say is that, from time to time, a person may have not used as much, so: this is what they would normally use in a 12-month period, would be a defence. So, if you have used less and therefore have more on hand, all they need to do is explain to the registrar that normally that is their pattern of usage and for whatever reason that pattern of usage is different this particular time.

Mr GARDNER: But if, indeed, the way in which one buys some of these components, which are very small components, is not of a nature to make it reasonable for somebody to only have

12 months supply; for example, if 12 months supply for that person's use would be substantially less than that which is commercially available, then those people will not be caught out.

The Hon. A. PICCOLO: I can advise the chamber that if that is the only way that item can be purchased the police have a discretion and they will exercise that discretion in those circumstances.

Motion carried.

Amendments Nos 3 to 6:

The Hon. A. PICCOLO: I move:

That the Legislative Council's amendments Nos 3 to 6 be agreed to.

Mr GARDNER: The opposition also agrees with these amendments, unsurprisingly.

Motion carried.

Amendment No. 7:

The Hon. A. PICCOLO: I move:

That the Legislative Council's amendment No. 7 be disagreed to.

We believe that the existing provisions in the SACAT Act do provide for a meaningful review and the review does provide for additional information to be put forward, as required under the SACAT Act. Also, the SACAT Act makes it very clear that any matter has to be considered on its merits and that the tribunal should not have regard for strict legal things and also the base of fairness. Therefore, we disagree and oppose amendment No. 7 because there are sufficient safeguards in the existing provision.

Mr GARDNER: This amendment was obviously proposed by the opposition. We believe it would have been an improvement to the current arrangements. However, it is a merits-based review that SACAT will be doing. It would have been better to have it de novo, but I do not think the Liberal Party is likely to seek that this be insisted on in the Legislative Council.

Motion carried.

Amendment No. 8:

The Hon. A. PICCOLO: I move:

That the Legislative Council's amendment be agreed to.

Mr GARDNER: We agree.

Motion carried.

Amendment No 9:

The Hon. A. PICCOLO: We disagree with amendment No. 9, but we are happy to accept a modification to it. The case was put by both the Family First Party and the Liberal Party and they have got me to agree to 18 changes in this particular provision. We will propose an alternative.

The ACTING CHAIR (Hon. T.R. Kenyon): Are you moving an amendment to amendment No. 9 or are you moving an alternative amendment?

The Hon. A. PICCOLO: I have a new amendment.

The ACTING CHAIR (Hon. T.R. Kenyon): So you are moving an alternative amendment?

The Hon. A. PICCOLO: Yes, I am moving an alternative amendment, but can we come back to it?

The ACTING CHAIR (Hon. T.R. Kenyon): Perhaps you might postpone consideration of amendment No. 9.

The Hon. A. PICCOLO: Yes.

Amendments Nos 10 to 18:

The Hon. A. PICCOLO: I move:

That the Legislative Council's amendments Nos 10 to 18 be agreed to.

Mr GARDNER: In talking to amendments Nos 10, 11, 12, 13, 14, 15, 16, 17 and 18, I can offer the following information to the house: amendment No. 10 is a government amendment. Obviously when this bill was drafted the firearms offences bill of the Attorney-General had not in fact gone through the house at that time, so amendment No. 10 provides that the new prescribed firearms offences in the Firearms Act that that bill created (the subsidiary offences) are incorporated into this bill as well. Amendment No. 10 really fixed a drafting problem, so is clearly necessary. Amendment No. 11 is the same, as is amendment No. 12.

Amendment No. 13 is an amendment of the Hon. Robert Brokenshire of the Family First Party, which I think goes hand in glove with a number of amendments that the Liberal Party moved in the House of Assembly and which were supported by the government in the House of Assembly, particularly in relation to those firearms that are deactivated or, in this case, some of which the classification of deactivated might be difficult to explain.

The purpose is that a firearm that is not designed to be carried by hand—and we are talking about an old-fashioned canon or a piece of artillery, the sorts of things that are significant collectibles and often in museums or RSLs or, indeed, in private collections—will not have fee applicable to them. These are items that have never caused us any problem at all.

They have never been a regulated item before, but the government has sought to include these items that are not carried by hand under the Firearms Act because I think their intent is to pick up the large semiautomatic or automatic machine guns that might be attached to vehicles, and the view of the government and the police certainly was that it is necessary to regulate those items. In doing so, they have caught up these large items—your cannons, your howitzers—which have never caused a problem.

If they have been purchased from the Defence Force, for example, then the Defence Force renders them incapable of firing a shell, and you cannot buy the shell anyway. They are used on ceremonial occasions. I think that one of my constituents, Mr Ray Carn, owns a number of these items, and he has used his generosity to support the Australian Defence Force in some of their commemorative ceremonies by firing a blank from one of the devices on a formal occasion for the Australian Defence Force. Amendment No. 13 will ensure that they are not so disadvantaged, and that will give comfort to those people.

The Hon. A. Piccolo interjecting:

Mr GARDNER: I will provide further information, yes; the minister is happy for me to do so as we amate the detail of the last amendment. I think that Robert Brokenshire's amendment is useful. I am glad that the government has agreed to it because it will assist greatly in ensuring that those members of the public who are genuine collectors of firearms of historical or other significance and who generally have possession of the firearm for that purpose will be covered. Members of the public, the people who represent stakeholder groups and who give of their time and effort and their collections to assist the community in such courses of events, will be covered, and that is very good news.

I believe that amendment No. 14 is consequential to amendment No. 13 and so requires no further detailed explanation. Amendment No. 15 looks to me like a consequential amendment as well, dealing as it does with clause 29, which is in relation to the registered firearms to have identifying marks. It appears to be consequential from our having added an extra subparagraph elsewhere in the bill.

Amendment No. 16 is a government amendment, which was moved by the Hon. Gail Gago in the other place. An amendment we had earlier was to ensure that the registration of deactivated firearms did not require an application fee. It was already causing somebody inconvenience, so in the House of Assembly the government accepted that we did not want to charge those people a fee for either their permit or for the licence inasmuch as it pertained to the deactivated firearm.

A number of licensees will hold a licence for one category or another for guns in addition to holding what is the new requirement, a licence for their deactivated guns.

As I understand it, this amendment ensures that they are not precluded from still having to pay their normal gun licence that they would otherwise have, even though the deactivated firearms licence that they will have is going to continue to be free. Amendments Nos 17 and 18 look to me pretty much along the lines of ensuring that RSLs and museums do not have to pay for the deactivated firearm permits that they hold. With that, the opposition also indicates that we support those amendments.

Amendment No. 9:

The CHAIR: You have an alternative amendment?

The Hon. A. PICCOLO: Yes. I move:

That the House of Assembly disagree with this amendment made by the Legislative Council and make the following alternative amendment:

Clause 75, page 78, lines 8 to 32 [clause 75(2)]—Delete subclause (2) and substitute:

- (2) This section does not apply in relation to a person who is charged with an offence under any of the following provisions:
- (a) section 9;
 - (b) section 19;
 - (c) section 22;
 - (d) section 37;
 - (e) section 45.

Just to put it into context, previously that clause had a number of other exclusions, in fact, another additional 18 exclusions, so we have narrowed the exclusions. We have accepted the strong arguments put by both Family First and the Liberal Party and so the effect is that the general defence will apply with this reduced number of exclusions. While I was not entirely happy, I accept that they made a number of representations on behalf of their constituencies and we reluctantly accept them.

The CHAIR: Were I in my place and able to ask a question, I would ask what they apply to.

The Hon. A. PICCOLO: Can I just clarify that it should be:

Delete subclauses (2) and (3) and substitute:

- (2) This section does not apply in relation to a person who is charged with an offence under the following provisions:
- (a) section 9;
 - (b) section 19;
 - (c) section 22;
 - (d) section 37;
 - (e) section 45.

Mr GARDNER: I will await the confirmation from the Clerk and the Chair, perhaps, that that written-in clarification on the amendment sheet is indeed fine. But to be very clear, subclause (3) in the bill, as it went to the Legislative Council, created a power for the regulations to remove the general defence from offences that are contained within the regulations, and there are a good number of offences that may be dealt with in the regulations, and it is certainly the intent of the Liberal Party to assume that the general defence will cover those that are in the regulations.

The remainder of the amendment provides that offences under sections 9, 19, 22, 37 and 45—and these are matters such as manufacturing, firearms, prohibition orders and the like—are the only ones that are to not be covered by the general defence. While this is a matter that I have not had a chance to double-check with the Family First party in the time since it has been discussed with the minister, I think it significantly improves the government's initial amendment as it went through the House of Assembly. The government has withdrawn 18 sections of offences that would not have

been covered by the general defence. The general defence will now cover those 18 sections which is critically important and we are very pleased to see it.

The ACTING CHAIR (Hon. T.R. Kenyon): Perhaps I might be able to indicate to the house and to the member for Morialta that the Clerk has agreed with the minister that the alternative amendments are what the member for Morialta and the minister have agreed.

Mr GARDNER: So is that subclauses (2) and (3)?

The ACTING CHAIR (Hon. T.R. Kenyon): Subclauses (2) and (3) are there.

Motion carried.

COMMUNITY BASED SENTENCES (INTERSTATE TRANSFER) BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

At 18:02 the house adjourned until Thursday 10 December 2015 at 14:00.

*Answers to Questions***STATE GOVERNMENT CONCESSIONS**

64 Dr McFETRIDGE (Morphett) (9 September 2015).

1. For the financial year 2014-15, how many people were in receipt of state concessions for each of the following—

- (a) Personal Alert Systems Rebate Scheme;
- (b) Spectacles Scheme;
- (c) Funeral Assistance Program;
- (d) Companion Card Program;
- (e) Emergency Financial Assistance Program;
- (f) Low Income Support Program;
- (g) Utilities Literacy Program; and
- (h) Emergency Electricity Payment Scheme?

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 that:

1. For the financial year 2014-15, state concession recipient numbers/program participants were as follows:

Program	Number of recipients/participants
(a) Personal Alert Systems Rebate Scheme	2,205
(b) Spectacles Scheme	22,900
(c) Funeral Assistance Program	214
(d) Companion Card Program	6,226
(e) Emergency Financial Assistance Program	6,000
(f) Low Income Support Program	1,400
(g) Utilities Literacy Program	5,463
(h) Emergency Electricity Payment Scheme	914

The Emergency Financial Assistance Program, Low Income Support Program and Utilities Literacy Program are not concessions. The above information relates to the number of people that have received support through these services.'