

HOUSE OF ASSEMBLY

Tuesday, 9 February 2016

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

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

Bills

HEALTH AND COMMUNITY SERVICES COMPLAINTS (BUDGET REPORT) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 28 October 2015.)

Dr McFETRIDGE (Morphett) (11:03): Mr Speaker, I can tell the house that I am the lead speaker on this bill. It is a fairly straightforward piece of legislation that removes one clause from the current act. The situation at present is that, under section 15 of the Health and Community Services Complaints Act 2004, the commissioner is required to furnish a report at the end of the financial year to the Economic and Finance Committee. The section provides:

The Commissioner's proposed budget for a particular financial year is to be submitted for examination by the Economic and Finance Committee of the Parliament by the end of the preceding calendar year.

That is a unique requirement of statutory officers, as far as I am aware, and this bill will just remove that clause from the act. The Economic and Finance Committee has recommended that the Social Development Committee review the HSCS budget, as that is more appropriate, but I understand the advice from the Social Development Committee is that they have indicated that reviewing the Health and Community Services Complaints Commissioner's budget is not within the committee's functions. The fact that this requirement is unique to the commissioner under this legislation is something that this bill is going to correct.

The Liberal Party has undertaken consultation with a range of stakeholders including the AMA, the Private Hospitals Association, the nurses' federation and, of course, the commission, as well as the Ombudsman, the South Australian Salaried Medical Officers Association and the Health Consumers Alliance. The commissioner has made some remarks on the bill. He said:

In the budget cycle, I am not able to provide meaningful information for the future year as contemplated by the act. Indeed, at times the office budget is not confirmed until October of the current year.

The commissioner went on to say:

I report on the budget and actual expenditure in my annual report.

We should all remember that a report is tabled before this place, and that will continue to be the case. It is vital that we are aware of the functions of the commission. It was set up in 2004 to provide advice to consumers on their concerns about a whole range of health-related matters. The big concern that the opposition has, which a number of my constituents have voiced, is their ability to access the services of the commission.

I should tell the house that there has been a very concerning decline in resourcing of the commission. In 2005-06, the commission had funding of \$1.27 million with 11.6 FTEs. By 2014, that had decreased in real terms—while the dollar numbers were right, in real terms there was a recurrent base of \$1.286 million with 9.7 FTEs.

There is a need to make sure that if we are going to set up a body like this it is well resourced both financially and with people working in the office. That was the ambit, the aim, but unfortunately

because of financial constraints and staffing constraints, there are some issues with the ability of the commission to continue to act in the way it was initially set up.

The Liberal Party will be supporting this legislation. We look forward to reading the commissioner's reports in the future and, certainly, I hope the commission is able to do the job it was set up for. I am currently dealing with a constituent who has some concerns about the way the commission is being, in their opinion, somewhat tardy in handling their complaint. I suspect that is due to the fact that funding and staffing have reduced. Supporting this commission is vital and this piece of legislation will make the job a bit easier for the commissioner.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:07): Good morning, Mr Speaker, and it is great to be back. I rise to speak on the Health and Community Services Complaints (Budget Reform) Amendment Bill 2015. I confirm that I will not be opposing the bill, but there are a number of concerns that I wish to place on the record. Nothing I have to say at this point is a reflection on Ms Leena Sudano who for, I think, nearly a decade was the commissioner under this act or more recently Mr Steve Tully, who has provided a report to the parliament for the 2014-15 year to which I propose to refer.

Members will be aware that shortly after the 2002 election, one of the first bills this government introduced (via the Hon. Lea Stevens, minister for health) was a health and community complaints bill to remove health complaints from the Ombudsman and to set up a separate entity which was to be broadened in definition to cover aged-care facilities, community organisations and public and private agencies and the like.

There were concerns raised at the time about the breadth of the definition that was to be applied, the overlap between the federal Aged Care Act and its complaints resolution mechanisms which would potentially give complainants two bites of the cherry, the capturing (even inadvertently) of volunteers who were doing work in this area, and the powers and functions of the proposed ombudsman. There was also a concern about use of the word 'ombudsman' and ultimately it was changed to 'commissioner'.

In introducing this new and very broad role that was to deal with a complaints mechanism, but really a consumer reassurance body, in my view—somebody who was going to be able to deal with individual concerns but also look at systemic review in relation to the health and community services area—a number of mechanisms were placed on this new body, once passed, which had the general endorsement of the opposition in having an agency in this model. That was to have an advisory body that sat with the commissioner, who could be adviser to the minister and of course would have a supervisory role, and the second area was to have a reporting process for annual budgets to the Economic and Finance Committee.

I have heard from the minister and the shadow representative today on this question of that being superfluous, essentially because there is already accountability by giving an annual report to the parliament. The funds that are allocated and applied by this agency are subject to audit by the Auditor-General's Department and the like, and therefore this is really an unnecessary imposition on this body. I hasten to add that that advisory committee has now been axed under the Weatherill government. That does not exist anymore. It has been disposed of, and so that element of scrutiny has gone.

Secondly, what has appeared to me in viewing the annual reports from Ms Sudano's first report across to Mr Tully's recent report is that, more and more, the information which is reported to parliament, especially in the financial aspect, has been reduced, so much so that by the time we get to the 2015 year, we have one page that has three lines on it which gives us a hint as to what the situation is for the funding of this body, largely because it suggests that the information about this is now to be found in the annual report of the health department—talk about Caesar reviewing Caesar. This is the body which has a principal role in making sure that the agencies that deliver health and community services to South Australia, including all of the public sector in this field, is the agency which is providing this information to go in its annual report, no longer in the commissioner's annual report.

So, we only get three lines which tell us what the income is, which for last year was \$1.286307 million, and it was applied to salary and wages and to goods and services. That is the

entire breakdown of that funding. If we want to know more, we have to go to the health department's annual report and then go to estimates to deal with the health minister. In my view, that is not scrutiny. That is then an absorption (which we have seen in a number of departments; it is not unique in this one) which gets absorbed into the master annual report. The victims of crime annual report is now put in as a little addendum in the Attorney-General's annual report, and so the detail which is provided to us as a parliament is thin to say the least and is getting thinner.

The second thing I want to make a point of, which has been I think highlighted by our shadow representative the member for Morphett, is the dwindling effective budget of this body to actually act efficiently. I, personally, as a local member, have not referred any matters to Mr Tully or been involved in any specifically on behalf of constituents; however, I had a number under Ms Sudano. It was of great concern to me that very often when there was a complaint—I can recall a specialist committing suicide off a major health facility in South Australia and it taking a year just to get a file opened to deal with the concerns that were raised by the deceased's relatives. That is the type of situation we face if we continue to strip a body such as this of funding.

I am very interested to read that it did have an opportunity in the last financial year to undertake 117 investigations under part 6 of the act, including systemic issues which had been raised, some by individual case complaints and some of its own motion, it tells us on page 30 of the report. Examples of systemic investigations included—I will paraphrase a few of them, because they relate to the disability services that are provided—being consistent with the charter and providing safety in disability services. Some of the other interesting ones, which have been around for years—and this is a real concern to me—are that, 14 or 15 years into this government, we are still seeing a situation where there is a need to improve the safety of patients against sexual assault in mental health inpatient facilities. How many times do we have to have that reported every year?

'How public hospitals manage prisoners who are shackled by correctional services staff.' There is not a year that goes past where we do not have some dreadful story across the media relating to that. 'Improving the standard of prison health services.' Hello! Go down and have a look at the women's prison and see what needs to be done there, particularly in relation to those prisoners who have to deal with babies being taken away from them after they have given birth, medication administration, and the like.

The last one is: 'Reliability of blood results across pathology labs.' Interestingly, they say there is also a commitment to service improvements that have occurred in 2014, and number one in the Improvement Monitoring Register for 2014-15 is:

- public hospital radiology department—complaint used as a case study for radiology department staff to learn improvements in radiology process to avoid human error in missed injuries.

This is a damning report to suggest that there has been some kind of improvement when, again, year after year, we have cases of people who have either been given too much or not enough radiological treatment or chemotherapy treatment. It is appalling, and I find it very concerning that this is reported in last year's annual report as an improvement. In fact, it is the number one improvement, and yet still we are having these instances which are going to continue to happen unless the government addresses those systemic issues and unless they are listening to people like Mr Tully who obviously sees it as serious enough to start investigating these matters.

They have had some information back from the department which has written this report. The officers who write this report and who support and provide the secretarial services, etc., are in the health department. Obviously, it is going to be, in my view, sanitised and reflect a commitment given by the department, the very group that most often are providing the services that are criticised and of which form the basis of horror stories across our media on a regular basis.

I ask the Minister for Health to understand how important this type of agency is and not to suffocate it with no money, to make sure it is able to report independently to us—there is no board to actually speak to now; you have gotten rid of them—and to make sure that Mr Tully and his people who are working in that field are able to have an unrestricted and without fear or favour access to reform that is necessary to deal with these very serious human complaints.

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (11:17): I thank members for their contribution. I thank the opposition for

their indication of support for the bill. The bill really just corrects an anomaly in this piece of legislation. It is not required of any other statutory authorities. I can assure the house that parliament was given ample opportunity to scrutinise. What prompted this was actually a resolution of the Economic and Finance Committee which said that they thought they were not appropriately equipped to do what was required of them under the act. I presume that that was a unanimous resolution of the Economic and Finance Committee. I am not aware otherwise, so I presume this bill has support from both sides of the house.

Bill read a second time.

Third Reading

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (11:18): I move:

That this bill be now read a third time.

Bill read a third time and passed.

HOUSING IMPROVEMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 23 September 2015.)

Ms SANDERSON (Adelaide) (11:19): I rise to speak on the Housing Improvement Bill 2015 and indicate to the house that I will be lead speaker. The Housing Improvement Bill 2015 will repeal the Housing Improvement Act 1940. Following the Depression of the 1930s, South Australia had high demand and poor standards of housing. Due to these inconsistencies in supply, South Australia implemented the Housing Improvement Act 1940 in an aim to ensure safe and appropriate housing standards in South Australia. This act related to housing in metropolitan Adelaide.

A government review of the act has found that provisions needed to enforce minimum safety standards and ensure owners carry out essential maintenance are not effective. Subsequently, some occupants continue to be at risk of being exposed to significant safety issues, health hazards and/or unfair rent in substandard homes. A discussion paper was released in 2010 about changing the legislation.

In 2012, the Housing Improvement Bill consultation received 16 written submissions from groups including: the Landlords' Association (SA) Incorporated; the Housing Industry Association; the Local Government Association; the Metropolitan Fire Service; Mission Australia; Mr Steven Marshall MP; the South Australian Council of Social Services; Shelter SA; the Tenants' Information and Advocacy Service; the Barossa Council; the Law Society of South Australia; the Law Society of South Australia's Administrative Law Committee; Youth Affairs Council of South Australia; and one that had their name removed.

I am not sure why it has taken six years from the original discussion paper in 2010 for this paper to come to parliament as a bill. Also, given that the 16 submissions were received in 2012—some four years ago—it is difficult to tell whether all of their feedback and suggestions were adhered to, as the section numbers referred to relate to previous copies of the bill, and therefore do not coincide. However, I have done my best to go through all of their suggestions and make sure that any that I believe were missed have been included in my amendments, which were filed in December, regarding this bill.

In particular, it appears that some of the suggestions from both the Landlords' Association and the Law Society of South Australia were not included in the government's final draft. I am told the government, subsequent to their initial feedback in 2012, held a roundtable with nine stakeholders, including: the Real Estate Institute of South Australia Incorporated; the Landlords' Association (SA) Incorporated; Shelter SA; Community Housing Council of South Australia; Junction housing; Anglicare's Tenants Information and Advocacy Service; the South Australian Council of Social Service; the Local Government Association; and the Outback Communities Authority.

Whilst the Liberal Party supports this bill in general, there are some areas that we note and stress can be improved on or are unnecessarily included. In general, these relate to the following main areas: (1) that the bill should only relate to residential properties that are tenanted or intended to be tenanted. Given that unsuitable and unsafe housing predominantly affects lower-income households, students and new migrants that are on rental housing, why include owner-occupied homes?

Given that, in my briefing with the ministerial and departmental staff, I was assured that this had never been applied to an owner-occupier, why include it in the bill? Surely, in South Australia, whilst we have a duty of care as a landlord, we should also be empowered to take personal responsibility for our own living conditions. Also, in a multicultural community such as South Australia, different people have different backgrounds and interpretations of what is suitable, and this should be taken into account.

As a Liberal, I believe in the freedom to live how you wish in your house, as long as there is no harm to others. I believe in less red tape, less laws, and less bureaucracy controlling and restricting people's lives. Many people start out buying their first homes and renovating them as they can afford to, as I have done, and I am sure have lived in conditions that would be in contravention of this act. This would most certainly impact on people purchasing homes. What is the point of fining someone or taking them to court when the reason they are living the way they are is often due to a lack of money and/or time to get things fixed, whilst working full-time to pay off their mortgage? This impacts unfairly on disadvantaged members of our community.

Shortly after buying my first home, I started major renovations. I rented elsewhere for as long as I could afford to, but then had to move back in to continue the work. When you account for rent plus paying off a mortgage plus the cost of renovations, it is clearly not possible to stay in a rental property for that long.

I lived in a home that would be in contravention of many of the regulations that are listed in the act. There was no oven or cooktop; we used a barbecue. There was no food storage cupboard in reasonable proximity to the kitchen; we had a fridge in the carport. Regarding the provision of sufficient power points, we had two extension cords from the front power box, and we had no external lights or lockable screen doors. Our house was not lockable for a short while as we waited for our cafe doors to arrive that opened into our backyard. There was no running water; we filled a bucket from the outside tap to flush the toilet.

We also had a room without windows, which is also in contravention, but it was intended because this could be an area for shiftworkers to sleep with total blackout. I see this is illegal; however, I believe you should be able to build your house as you see fit if you are the owner/occupier. Whilst I will not be rushing to do this again, it should be my choice and not the choice of the government how I renovate my own home and how I choose to live in that home.

My second major issue is in relation to the maximum penalty currently available under the existing act, which is \$100. This is outdated and does not reflect the current economy or the severity of the offence. The new Housing Improvement Bill 2015 will increase this maximum penalty to \$20,000, which is a severe increase from the \$100. I believe this is excessive, and the penalty does not fit the crime. My amendments reflect proposed penalties to be reduced by 50 per cent, which is still huge—a \$10,000 fine—but a more suitable charge for the breach of the provisions.

I would also question where the money goes. Where will all these fines go? Will this money be used to help pay for safety improvements for homes of people who cannot afford it? Will it be used to build more affordable homes, or will this be used to prop up an inefficient government that fails to meet its budget year on year. Excessive penalties was also raised in 2012 by the Landlords' Association.

My third point is that SACAT should provide all decisions in writing. The reason for this is to encourage transparency and openness from the tribunal in line with other judicial bodies. Four: reasonable attempts should be made to serve all relevant parties, not just one of the owners. Five: joint liability should not apply if there is reasonable proof that the person was not aware of the situation. Again, in a situation of a divorce or where property is held in trust, not all parties might

realise what has been happening and, therefore, should not be held to account unless there is proof that they had been notified and were aware.

My sixth point is that the bill refers to who a qualified person is under the act. However, what is not made clear are the requirements of that person. Under the proposed act, such a person can enter my premises using reasonable force. In modern South Australia is such force appropriate or another attempt at red tape by a Labor government leading to breaking locks, doors or windows? The question arises: what if this leads to injury by another party? In addition, is the bailiff referred to in section 23 to be armed with any weapon of any kind?

It also bothers me that in this bill where there might be risk of your ceiling falling in on you, which is dangerous, somebody can actually break into your house with reasonable force, yet when a child such as Chloe Valentine is left in danger of negligence, you have to actually notify the parent that you are coming around and give them notice. So, it seems a bit inconsistent that on the one hand we are more worried about a ceiling than we are worried about children who are continually left in danger.

Ms Redmond: That's just this government's priorities.

Ms SANDERSON: Yes, it just shows the priorities of this government. Whilst the Housing Improvement Bill 2015 brings existing legislation into the 21st century, the old bill still actually refers to pounds as our currency. It has taken 14 years of a Labor government to get around to this, so I think that given the time it has taken they should be open to amending this, in my opinion, to make this a superior piece of legislation.

I note that legislative authority and power to issue orders will be transferred from the South Australian Housing Trust in conjunction with local government to the minister. This is a very significant change in the bill, and I question whether the ministerial housing orders will now have longer processing times than under current arrangements.

I also question what the impact will be of removing the local government and the South Australian Housing Trust from the decision process, and have these issues been considered and what were the outcomes? Now that it is not only the metropolitan area included in this bill but the whole state, I particularly see problems with how the minister would be best placed to make these decisions—surely it would be the Housing Trust and the local government that have more people on the ground and that have a lot more knowledge of their local area and the houses that are within those areas.

At present under the Housing Improvement Act of 1940 reports need only be furnished to the minister in regard to capital expenditure by resolution of either houses of parliament or, if required, by the minister under any other act. The minister's role transforms from one of receiving the information in updates to deciding and acting upon information received by authorised persons with the minister's delegated authority. We have seen over this term of Labor government how many times ministers making decisions can end up in very controversial outcomes; so, I question whether that is really the right person to be making these decisions.

In addition, the minister has the power to do anything necessary, expedient or incidental to (a) performing the functions of the minister under this act, (b) administering the act, or (c) furthering the objects of the act. So, my question would be: what additional powers, if any, would the minister require outside what has already been prescribed in this act?

To ensure that occupants have access to correct information, any authorised officer must carry an identity card when performing their duties, which I agree with. Also, under the act they may remove an article that may constitute evidence of the commission of an offence against the act; so, we need to ensure that the evidence or property removed is in relation to the Housing Improvement Bill and not regarding any other legislation.

Division 3 talks about the rent control notices, and the previous act (the Housing Improvement Act 1940) limits the application of rental control of substandard houses to the metropolitan area and areas the Governor declares by proclamation. These are all listed in the *Gazette*, so it is very time consuming to find all these areas because they are not in one place. As I have already mentioned, I believe that councils, the local government and the Housing Trust that

have widespread knowledge and contacts throughout the regions in particular and the metropolitan area would be best placed to be making these decisions and giving feedback, rather than the minister.

The new bill also allows for greater transparency and accountability under the act. Members of the public can access a register, which includes information regarding properties that have or have had an order placed on them, or maximum rent where a fixed rate applies. However, the minister has discretion to omit information from the register. A member of the public may pay a fixed fee to access any part of that register.

It is unclear whether members of the public can request their own information to also be removed from that register. For example, could a victim of domestic violence living in a rent-controlled property request that their address be suppressed and would this information be available under FOI?

One of my main concerns with this register is that, whilst I think it is a fantastic idea (because going through the *Gazette* is incredibly tedious and time consuming), is the government able to actually deliver a register with its record on IT and software projects, such as Oracle and EPAS, which have all blown out in both time and cost? I question whether it already has the costings and whether it will announce those to the house and in what time frame this would be delivered.

There are also other projects, such as the DCSI Concession Scheme from which the \$7 million CASSIS program was dropped, and a further \$2.2 million for the COLIN (Cost of Living Information) system has been implemented. So, we certainly need a register, but I am hoping that it will not cost \$9.2 million, as in the case of the DCSI project that is currently underway.

Although we support this bill in principle, there are certainly changes that must be made as outlined, and I encourage the government to consider our recommendations.

Ms HILDYARD (Reynell) (11:34): I am very proud to stand here to speak in support of this Housing Improvement Bill as it is a bill which will make a real difference to the wellbeing of individuals and families and communities right across South Australia. This bill will ensure that existing rental houses meet minimum standards to ensure that safe and suitable accommodation is provided to community members and to ensure that community members and their families who are renting are treated with the dignity and the respect that they deserve. There are many people in rental accommodation in our southern community in my electorate of Reynell, people who look after and treasure the houses they rent, and indeed transform them into much-loved homes for themselves and their families.

Sadly, those most impacted by landlords who do not adequately and promptly attend to maintenance issues are often families and households who most need affordable housing. They are sometimes people who have little choice but to accept accommodation of an undesirable standard and a maintenance schedule that creates an unsafe environment. The measure in this bill which creates a minimum standard for maintenance will ensure that this lack of real choice is addressed.

The ability to fix rent by regulation is also an important measure in this bill. It will ensure that excessive rent is not charged for substandard housing—excessive rent which often creates stress for renters and increases the possibility of risk of homelessness. This measure is also necessary in order to be able to direct an owner to repair items which pose unacceptable health or safety risks to an occupant. These changes are relevant in all areas of South Australia and, as I said, including in my own electorate of Reynell, with a considerable concentration of ageing homes in the rental market.

This bill will also repeal obsolete legislation whilst continuing to provide essential support to ensure that the quality of affordable housing is maintained to a habitable standard. Those exposed to poor quality accommodation are often highly vulnerable and have limited alternative housing options. It is essential that we do what we can to keep our most vulnerable community members, and indeed all renters, safe and suitably housed. This bill goes a long way towards this and I commend it to the house.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:36): The Housing Improvement Bill 2015 is not what it seems and I want to reflect on a couple of matters that I think

are important for us to appreciate. We have a Housing Improvement Act; it has been around for more than 70 years. It currently makes provision for the protection of people who are living in substandard houses. How does it do that? It requires certain upgrades and can make provision for demolition, it makes provision for cheaper rental if a dwelling is of lower standard than is available, it makes provision of public notice through the *Gazette* of what properties are the subject of a housing improvement assessment order, and it does all the things the member for Reynell said are important to ensure that we provide protection for tenants in the accommodation that they have.

What this bill does under the guise of upgrading, under the guise of contemporising to the modern world, in fact, is to deal with an employment problem that the government has. The government has hundreds of people in the South Australian Housing Trust and Housing SA, several hundred of whom they have already transferred to Renewal SA (which is the agency name for the urban renewal authority) to sell off housing stock to the NGOs and to the private sector for housing development, and what is it left with? It is left with a whole lot of people in a department who are going to have nothing to do.

So what does it do? It takes away, under this bill, the proposed scrutiny and measures with which we look at and ensure that tenancies are spaces which are safe for tenants and the like, which is the objective of the act—in fact, the principle act is being repealed. It takes them away from local government and away from the South Australian Housing Trust and gives them to the minister, who apparently is going to keep a register, and these people, the authorised officers, are going to have a job to do.

The authorised officers under this bill are to have the power to enter (as has been pointed out by the member for Adelaide and our shadow minister in this area), to inspect premises, etc. and do all the things that currently, to a large degree, local government representatives do, to issue the notices, take photographs, and put the process through. It is going to have some extra powers. As usual, when the government comes along with authorised officers, they want to have extra powers particularly in protection against anyone who dares to suggest to the authorised officer that they might be in breach of the powers. They are not allowed to hinder or obstruct an authorised officer, etc., and there are massive penalties if they do so.

Secondly, the ground of self-incrimination cannot be used as an excuse for failure to furnish information required under the act. So, as usual, we go through this exercise where we transfer, in this case a regulatory role, from local government agents, about whom there has not been any identified criticism other than a couple of lines in the second reading speech of the minister, who suggested that there was substandard maintenance of properties by landlords, apparently, according to this. It suggests in the opening line that one of the reasons we are getting this is because the review identified, or it was characterised, they say, by poor building conditions through lack of essential maintenance or defective work carried out by the owners.

If that was the case, why were they not being dealt with? That should have been the question that was asked. However, in any event, under the guise of that the authorised officers are going to have new and expanded powers. They are going to be employed by the government. They are going to give a job to the people who will not have a job any more—because they are sitting in there in their thousands in Housing SA, those who currently have a role, many of them to manage housing stock owned effectively by the government via the South Australian Housing Trust—and they are going to get a new job. That is what we are talking about here: more powers to state employees who are going to be without a job when the government has flogged off all the assets. That is the reality of what is actually happening here.

I ask members to listen carefully to the presentation of amendments which are going to be proposed by the member for Adelaide, our spokesperson on social housing matters, to understand that we do not want to inadvertently capture the people who are living in less than optimal standard housing. Many of us are not in the position of living in those circumstances but let me give you an example of where people are frequently residing, even temporarily, in what we might describe as less than optimal or substandard housing.

It is not just the people who are referred to here in the suburbs of Adelaide but the people who live in regional South Australia who are living in accommodation on farms, on council land, on other properties and in empty houses in towns. They have a few cobwebs in them, the plumbing

might be a bit rusty, the electricity may be safe where it is administered or distributed to, but there may not be much of it, it may have poor amenities in furnishings and it may not have all the gadgets that go with what we expect living in comfortable suburban areas in metropolitan Adelaide.

However, these homes are providing accommodation to people who come here as refugees and who come here to do work for us in regional parts of South Australia. These people want to find accommodation in towns dotted around South Australia's country regions and to be provided with low-cost, affordable accommodation in this state for both individuals and families.

I say to the government that it might want to spend its whole time talking in its presentation about keeping people safe in the suburbs, but let me say that there is a lot of accommodation outside of metropolitan Adelaide: sure, it gets run down, it is often unoccupied for long periods of time, it is certainly not fashionable, it does not have the updates that a lot of other properties have, but it is providing safe, secure and affordable accommodation to many people in this state who are financially vulnerable, if not impecunious.

To introduce a regime of fines of tens of thousands of dollars—which currently are in hundreds of dollars—as some kind of penalty that is going to be imposed to make these bad landlords do the right thing, to upgrade these properties, I think is a farce. The reason is because this money is coming into the government. That is the first thing. This is a cash grab by the government to massively increase property fines where there is a failure on behalf of a landlord, for example, to demolish or upgrade.

It may be too expensive to demolish. The cost of disposal of building infrastructure is massive. Just look at the recent Pinery fire and the Lush family, who had to go through an expense of something like \$30,000 to dispose of the asset of a burnt out shell of a house. Unless they can crush it down to less than the size of a fist, I understand, none of it can be buried. We are talking about bricks and mortar. We are talking about carbon-based waste which is prohibited from being put into landfill.

Firstly, there is the question of: how do you dispose of that, and the cost of doing that. Sometimes that is beyond the capacity of a person to do: they do not have the money to bulldoze or start again, they do not have the money for a massive upgrade, especially if there is a heritage listing on the property which may require an upgrade of that property, or it may not be able to be retrofitted to provide the services that are expected in this day and age.

So, do not come (as a government) into this parliament and start waving some great big financial stick against landlords who currently have a regime of obligation under laws that are to be enforced by this government—and if they are failing, it is this government's fault—and suggest that this is going to be some panacea of a provision of improved standard of housing for lower income renters. That is rubbish. This is a cash grab and it is going to be in the tens of thousands of dollars, where offences are committed, purportedly, by these people.

If the government was really serious about ensuring that we have safe and affordable accommodation for those in our community who are less well off, then it should start thinking about the land tax on some of these properties, it should start thinking about the cost of subsidy on rental for these properties. I have spoken a number of times to people who own a dwelling in metropolitan Adelaide (in areas that I look after) and they say to me, 'Look, I am very concerned. The government has put up the emergency services levy and the land tax on this property. I currently have tenants in there who are paying \$80 a week, and they can't afford any more. I haven't upgraded the property, but it's safe. It doesn't have all of the widgets and gadgets that you would expect in an apartment in Unley, but it is safe and it is providing affordable accommodation for my 65 year old pensioner tenant. He's happy there. If I put the rent up he's not going to be able to afford to stay there, but I have to put the rent up because land taxes are going up and the government is now whacking me with an ESL, etc.'

If the government was serious about dealing with low cost accommodation it would meet with these people who own these low cost properties, identify what areas of capital input may be needed to upgrade, or demolish and start again, and/or work with them to make sure that they are not in a situation where they are forced to sell off or make improvements that then make it unattainable for the very people this government claims it is supporting. That is what the government

should be doing, but it is not. It is bringing in a bill for us to consider and support that is going to affect the people who live in these homes themselves, who are not seeking to make any financial gain from anyone else but who choose to live in accommodation that they may own and occupy. It is seeking to punish, through an oppressive fine regime, those very people, who are then likely to sell up. A developer will come in and we will end up with blocks of apartments, which will make it unattainable for those people. That is the consequence of this type of situation.

If the government wants to be honest and say, 'Look, we have put a couple of hundred of our people over into Renewal SA to brush up some housing and to flog it off, but we have all these people sitting over here in our department who are not going to have much to do,' it should be honest about what they are going to do with these people and convert them into authorised officers and send them out to do a job which, frankly, is already being done well by other parties.

Finally, in relation to the SACAT transfer, we moved Residential Tenancies Tribunal work to SACAT in the first tranche of the reform under the SACAT Bill, along with the Guardianship Board. Where was this issue? This review was done years ago. Why was the question of housing improvement management as such, in its assessment and orders being issued, etc. and the appeal against those, not referred over to SACAT for the commencement in July last year with the Residential Tenancies Tribunal? Why? Because this government could not run a picnic.

Mr SPEIRS (Bright) (11:50): I thought that I would make a few brief remarks on the Housing Improvement Bill 2015, partly because I actually have some history with this piece of legislation from my previous role working in the cabinet office in the Department of the Premier and Cabinet. It was back in 2009, which feels a long time ago for me—probably about a fifth of my life ago. It was 2009 when Murray Hutchinson and Linley May—I checked right back from my old records—came to see me in my role as a policy officer in the cabinet office back then, when I was looking after the housing portfolio. I believe that minister Rankine was the minister responsible at the time.

This is when the Housing Improvement Bill was first considered for review. It has taken seven long years to come into this place, so clearly it is not a pressing priority for the government in any shape or form, but here it is now. I can probably sympathise with the government that it is not a pressing priority, because I am not sure that this is a particularly significant problem out in the community. It is certainly not a problem that cannot be dealt with, as the deputy leader said, by existing policy regimes, either through local government, which has an environmental health role in enforcing the safety of premises and ensuring that houses are up to scratch for people to live in, or through what was the Residential Tenancies Tribunal and has obviously now been subsumed into SACAT. Both those jurisdictions could, I believe, adequately deal with what is before us today through the Housing Improvement Bill.

The bill, as the member for Adelaide clearly set out in her lead speech on this matter, harks way back to 1940—over 70 years ago—when it was first brought into law in South Australia when the building act was reviewed in the late 1930s. It was felt that in that period there was a considerable amount of slum accommodation in the inner parts of metropolitan Adelaide and there needed to be a legislative instrument to try to bring that up to a better standard. It was felt, as part of the building act review committee, that the building act did not quite cut it in terms of providing the legislative remedy that was required, so the Housing Improvement Act of 1940 was passed by the Parliament of South Australia. Seventy-six years later, we are presented with the updated version.

As the member for Adelaide said, while we support the bill going forward in principle, there are a couple of concerns about it, particularly the size of the fines. As both the member for Adelaide and the deputy leader quite clearly articulated, we have significant concerns that this bill could be used as a revenue raising activity, as opposed to actually trying to ensure that rental accommodation is kept up to a decent standard. When you look at the fines that are part of this proposed legislation, it is a significant concern. Are we taking a big stick approach and creating a legislative regime which is not actually needed and is imbued with very significant fines throughout for breaches of the law?

I really only wanted to put my comments on record because I have had a history—it feels like a long history—with this bill from when it first came across my desk back in the State Administration Centre in 2009. It is interesting to be in a different role when the bill comes into parliament in 2016. As someone who believes in a minimalist, light touch of government and bureaucracy, it feels to me that this bill is over the top. There were existing legislative regimes in

place—as I said, SACAT and local government—which could deal with the things that are before the house in this proposed legislation.

Mr PEDERICK (Hammond) (11:56): I pay due respect to the member for Bright and the significant amount of his life that he has spent in relation to this legislation in a former life. Be that as it may, he is always very insightful, especially in the work that he has done in the past, and he is doing very good work in the parliament. We are here today in regard to the Housing Improvement Bill. It is quite interesting. This is a bill for:

An Act to provide for measures to address housing that is unsafe or unsuitable for human habitation; to control the rent of unsafe or unsuitable housing; to amend the Residential Parks Act 2007 and the Residential Tenancies Act 1995; to repeal the Housing Improvement Act 1940; and for other purposes.

We are certainly long overdue for the Housing Improvement Act to be upgraded and improved. However, one thing that does concern me—and I will certainly be interested in the minister's response down the track—is that, from my reading of it, this looks like it applies to every habitation in the state. I know there is a lot of talk about rental accommodation, but there are many and varied ways in which people want to live their lives, and we have freedom of choice. If people want to live in a tent by the river, or a humpy—some sort of primitive man-made construction—that is their choice. Obviously, not many people do that, but some feel that that is how they want to live, so we should let them be.

In other cases, people may be living in fairly rudimentary accommodation while they wait until they secure enough of their own funding to build better accommodation. That is certainly something that comes to the fore in opening up this great state, especially in the agriculture realm. Even only one generation back, I can recall many families who basically lived in the end of a shed. Yes, it was done up and most of them were lined accommodation—houses, for want of a better word—but they were essentially living in the end of a shed.

Many of these houses, sheds—whatever you like to call them—still exist today. Not a lot of them are lived in, from my knowledge, but that is only one generation back from me. People were living in these things in the 1950s, 1960s and, I would suggest, even into the early 1970s, until they found time, once they had cleared their properties and managed to do enough to get some reasonable accommodation.

As I said before, housing and accommodation is all in the eye of the beholder. It would not matter which suburb you went to, whether it was Burnside, Port Adelaide, Clarence Gardens, Windsor Gardens, or places throughout the country such as Mount Gambier, Murray Bridge in my electorate, Port Augusta, Port Lincoln—all around the state. There are many varied styles of accommodation, and then you get to Coober Pedy where they have that unique underground accommodation.

Ms Redmond: Dugouts.

Mr PEDERICK: Dugouts, as the member for Heysen suggests, because of the climate. So, there are many and varied means of accommodation. In fact, we used to use camp accommodation back in the days when I worked in the Cooper gas fields. There are many versions of that—the old huts or the ATCO huts. We have Australian Portable Camps right on the edge of my electorate that builds mining camps that are used right across this nation, and they do a fantastic job. Some people choose to live in accommodation like that. Why do we need to have big brother dictating what the minimum housing standard is? I know I am posing some broad questions here, but is there going to be an—

Ms Redmond interjecting:

Mr PEDERICK: Yes. Is there going to be an easy answer to this or is the government trying to fix the severe unemployment problem that we have in this state by hiring all these authorised officers to inspect every place of habitat in this state? I wonder because there are so many styles of accommodation and even if people live in a relatively modern home. A lot of homes were built during the 1950s, 1960s and 1970s. In the farming areas, a lot of the brick homes in my area were built by the Trotta family, a great Italian family. They built many homes in my electorate, fantastic double

brick houses, and I believe pretty well all of them are still being lived in today because they have been well built and they do a great job.

They were replacing some of these styles of accommodation I talked about before where people were living in the end of sheds and that kind of thing. What worries me as far as the construction of housing is concerned is that there does not seem to be any longevity built into housing construction these days in some of the ways they are constructed. My farmhouse at Coomandook is 80 years old. It is a fantastic house and it should go for another 160-plus years.

I shudder when I look at how we seem to have backtracked—and I am sure some builders will have a crack at me but that is fine—in the way that building styles have changed because of the cost of housing. We have gone from double brick to brick veneer and now we have blue board which I think seems like glorified cardboard. It worries me when I speak to some people in the industry who suggest that a lot of the modern homes being built today may only be there for 30 to 50 years. That is a pretty short life span for a house, in my mind.

It is very subjective in regard to how you measure the suitability of how someone lives. Yes, in rented premises especially, you expect that they comply and be tidy and that sort of thing and that can be relative as well. I am not an extreme hoarder personally but I tend to hoard a few things. Thankfully I have a good wife who cleans out the cupboard occasionally, and I am sure there some things that I do not miss that I should miss that have disappeared from the house.

The Hon. S.W. Key: What are we talking about?

Mr PEDERICK: You just have to listen. I am just talking about how it is all subjective on the quality of how people live their lives.

Members interjecting:

The DEPUTY SPEAKER: Yes, I am just wondering if the member for Hammond needs protection.

Mr PEDERICK: Thank you, ma'am, and I do appreciate your protection.

Members interjecting:

The DEPUTY SPEAKER: Order! On 131. Let's not start off the year badly.

Mr PEDERICK: Thank you, ma'am. They are out of control on the other side. As I started in my contribution, I am really concerned as to how it will affect private dwellings. Not just that, how will the government, if there is a distinction (and I need to be convinced that there is a distinction), know whether houses are rented or are owner occupied, and that kind of thing? Another issue we have, especially in the country, is that, as country populations have diminished (and in my local area it has probably diminished by 50 per cent in my lifetime, which is sad) it leaves the opportunity for housing to be rented out, and sometimes the houses are just walked away from, but they may be picked up later for very low rent and with minimal work done.

It worries me what enforcement may be put in place if too high a standard is put up, especially where people are only getting very minimal rent. When I say 'minimal rent' I am talking in the realm of between \$80 and \$120 a week, and there would be quite a few properties right across the state in rural areas, and especially on farms, that are rented out for that amount. So, I will be very interested in the response from the minister.

A range of orders can be placed with this bill. There are housing assessment orders, and I guess once you get an assessment order you are probably likely to get a housing improvement order, unless you are really unlucky and you get a housing demolition order. Whatever happens with these orders, there will be a cost. As we heard earlier, fines have increased significantly from around \$100 in the 1940 act. It is certainly noted in the bill that actions will be taken by the minister if orders are not complied with, and also recovery of costs.

It was interesting to note in the minister's second reading speech the mention of housing in rural areas and the need sometimes for mining. That is needed for mining and other issues that can be happening out in rural areas. That can see tenants moved out, so they need to find other

accommodation. Some people are much more comfortable in taking perhaps a lower quality of style of dwelling than others, and it is all in the eye of the beholder.

Certainly in relation to any homes that get sold there has to be a disclosure about orders or notices for lease or for sale. With all these questions and comments I am making I certainly want to get some insight into what the minister thinks about owner occupiers in relation to everything I am raising here today. I look at the explanation around clause 5 related to the prescribed minimum housing standards, and it states:

This clause sets out a power to enable the making of regulations to establish prescribed minimum housing standards that must be met for residential premises to be considered safe and suitable for human habitation.

It sets out a list of matters that may form the subject matter of such regulations, including matters relating to construction, amenity, cleanliness, sanitation, safety and access. Certainly this is a very overarching clause, and I note that we have about 50 amendments posed by the shadow spokesperson, the member for Adelaide, and it is in the eye of the beholder. I will be very interested in that, because we all have a different level of what we think is a minimum housing standard. In relation to clause 11, relating to the powers of authorised officers, the explanation states:

This clause sets out the powers of authorised officers in connection with the administration and enforcement of the Act. Such an officer may—

- enter and inspect residential premises at a reasonable time;
- ask questions of any person found on the premises;
- inspect any article or substance found in the premises;
- take and remove samples from any substance or other thing found in the premises;
- require any person to produce any plans, specifications, books, papers or documents;
- examine, copy and take extracts from any plans, specifications, books, papers or documents;
- take photographs, films or video recordings;
- take measurements, make notes and carry out tests;

Also, they can remove any article that may constitute evidence of the commission of an offence against the act, and require a person to answer any question that may be relevant to the administration or enforcement of the act. This clause further provides that an authorised officer may use reasonable force to enter residential premises if the officer has a warrant or the officer believes it is necessary.

Subclause (6) makes it an offence attracting a maximum penalty of \$10,000 for a person to hinder or obstruct an authorised officer, or a person assisting an authorised officer, in the exercise of power under this section, or fail to answer a question put to him or her by an authorised officer to the best of his or her knowledge, information or belief, or fail to provide reasonable assistance in relation to inspection of premises. The ground of self-incrimination cannot be used as an excuse for failure to furnish information required under this clause, and the standard provisions regarding the evidentiary use that may be made of information provided by a person in compliance with the clause apply.

Well, here we do not even have the right to remain silent. I believe this is similar to legislation involved with the fisheries act and the Natural Resources Management Act, with regard to the simple fact that people do not have the basic human right to stay silent. Essentially it has very overarching provisions, such as entry to the house, that are very similar to issues involved in relation to fisheries. So this bill will give the minister wide ranging powers; not only that, they will be to everyone who is delegated under the minister's authority to carry out this task.

People do not like Big Brother government, and they certainly do not like people coming in and just taking over their lives, having a fair crack at them. If, for some reason, they do not want to speak, they want to hold their peace, that becomes an offence. I call that Big Brother government. I think people deserve the right not to speak and they certainly deserve the right to have legal representation, and have time given to them to have that representation in order to defend themselves. It is a basic human right and should be afforded to these people.

I know we are going to agree to a heavily amended bill but we need to get through a whole raft of amendments and have a whole lot of questions answered that will, hopefully, ease some of the assumptions—or not—that I and others have made in regard to this legislation. I believe this will affect everyone in South Australia, not just renters but also people owning their own homes, and there is a mix right across the state. I certainly have a broad mix throughout my electorate, whether it is in residential parks or residential tenancy situations, whether it is government housing or private rental. We have all of that, but we also have very many private residences that are owned by the people who immediately dwell in them.

I hope that gives the minister and her department little bit of homework to do. I will be interested in the continuation of the debate.

Mr KNOLL (Schubert) (12:13): In rising to discuss this bill I would like to go back to the original iteration of this piece of legislation and discuss some of the settings that existed in 1940. South Australia was a very different place in 1940. We were still coming out of the effects of the Great Depression, and the Great Depression saw people trying to find accommodation with the very limited and meagre funds they had, trying to find any place in which they could live or reside, have shelter and be safe. What we understand today as housing is, I am sure, extremely different than it was back then.

I remember that during the height of the Great Depression 10,000 people were living on Pinky Flat, in all sorts of little makeshift shanties and lean-tos and whatever else they could find to house themselves, to give themselves that basic human right of shelter from the elements. Obviously, this was a problem. It was also at a time when the Housing Trust was only in its infancy.

The Housing Trust started in the 1930s under premier Richard Butler, and was really taken up by Playford, but Playford used the Housing Trust in a different form, again, to how we understand it today. The Housing Trust was used to build cheap, quickly built accommodation for the hordes of mainly British migrants, working class migrants, coming over here to fill the factories of all the industries that Playford brought to South Australia, and the Housing Trust suited that purpose. As a great admirer of Playford, this piece of legislation has his fingerprints all over it.

Looking at a time when he did not have sufficient housing, looking at a time when he was dealing with a very poor South Australia that was still very much reliant on the swings and roundabouts of commodity prices for base metals and agriculture, he had an economy that was not resilient or self-reliant. He also was dealing with the aftermath of the Great Depression, where we would have seen high levels of substandard housing. This act was used undoubtedly as a mechanism to be able to say, 'Look, we're going to institute some minimum standards around what we consider to be safe, but we're also going to make sure that the rent controls are in place, that people can have access to that cheap housing that they need because we don't have any alternatives.'

Back in 1940, we are talking about the midst of the Second World War, we are talking about a time when South Australia had price controls on a whole range of basic necessities of life. There were price controls on all sorts of things, so the idea of having controls on rent seemed quite natural because it was in line very much with the thinking of the time.

If I can contrast it to today, I think we can find that we are in a completely different situation. The Building Code and the Australian building standards are unrecognisable today from what they were back in 1940. If you built a house today or any time over the past decades, the last 20 or 30 years, that house will be structurally safe if it has been built to the standard, if the proper enforcement tools from local government have been enforced. We do not have situations where we have substandard homes being built. Where those substandard homes are being built there are laws in place to deal with that; so this idea that we have a mass of properties that do not fit the bill is completely wrong. So I think our way to deal with this issue needs to change and needs to evolve also.

This bill has been presented to us as a way of protecting individuals from being exploited by landlords, and that is principally something that we on this side are willing to support and, indeed, why we have offered qualified support for this bill. We do not want to see a situation where those

who rely on or need access to affordable housing through the removal of this are unable to have access to that housing; so there is a lot of sympathy on this side of the chamber for that principle.

Having said that, it does very much go against the grain of us on this side of the house looking at ways to deregulate our society. There is a lot of duplication in what exists in this bill as exists in other acts that have been passed by this parliament. I would like to go through a number of clauses as they exist in the Residential Tenancies Act 1995. As I go through them, those who have read through the bill will see that there are startling similarities in the intent, even if there is a different method of achieving that intent. I go to section 56 of the Residential Tenancies Act, which deals with excessive rent. It states:

- (1) The Tribunal may, on application by a tenant, declare that the rent payable under a residential tenancy agreement is excessive.
- (2) In deciding whether the rent payable under a residential tenancy agreement is excessive, the Tribunal must have regard to—
 - (a) the general level of rents for comparable premises in the same or similar localities; and
 - (b) the estimated capital value of the premises at the date of the application; and
 - (c) the outgoings for which the landlord is liable [to pay] under the agreement; and
 - (d) the estimated cost of services provided by the landlord and the tenant under the agreement; and
 - (e) the nature and value of furniture, equipment and other personal property...
 - (f) the state of repair and general condition of the premises; and
 - (fa) the estimated cost of goods and services provided under any domestic services agreement...

That seems to me to be extremely similar to the provisions for when rent control notices are issued under this bill. It seems to me that what the Residential Tenancies Act should have regard to is extremely similar to what SACAT, I suppose, should have regard to under this bill; therefore, I am moved to ask why we need it in the first place. There are already protections in the Residential Tenancies Act that allow for these types of controls. The Residential Tenancies Act is actually now under the auspices of SACAT, which is the same body which, we are seeing, is going to deal with this. Section 56 goes on to provide:

- (3) If the Tribunal [SACAT] finds, on an application under this section, that the rent payable under a residential tenancy agreement is excessive, the Tribunal may, by order—
 - (a) fix the rent payable for the premises and vary the agreement by reducing the rent payable under the agreement accordingly; and
 - (b) fix a date (which cannot be before the date of the application) from which the variation takes effect; and
 - (c) fix a period...for which the order is to remain in force.

That is a rent control notice by any other name, and the same body is going to be issuing that notice. The difference in process would be that a tenant would need to apply to SACAT to have a judgement under this section, as opposed to having officers delegated under the minister who will go out and be more proactive in their investigation. That said, the outcome we are getting to is the same. The protections are already there for tenants. Again, I am moved to ask why indeed we need to duplicate this process and provide multiple avenues to achieve the same outcome.

I would like to go on to section 68 of the act, which deals with a landlord's obligation to repair. As we know, as part of this bill we see that the government can issue housing assessment orders where officers will go in and assess a house and, from that, are able to issue housing improvement notices which put obligations on landlords to improve the standard of the property. Section 68 of the Residential Tenancies Act states:

- (1) It is a term of a residential tenancy agreement that the landlord—
 - (a) will ensure that the premises, and ancillary property, are in a reasonable state of repair at the beginning of the tenancy and will keep them in a reasonable state of repair having regard to their age, character and prospective life; and

- (b) will comply with statutory requirements affecting the premises.
- (1a) The obligation to repair applies even though the tenant had notice of the state of disrepair before entering into occupation.

It goes on to talk about the landlord not being regarded as being in breach unless:

- (i) the landlord has notice of the defect requiring repair; and
- (ii) the landlord fails to act with reasonable diligence to have the defect repaired, and
- (b) if the landlord is a registered community housing provider...

And, interestingly:

- (c) if the premises are subject to a housing improvement notice fixing the maximum rent for the premises, the landlord's obligations under subsection (1)...do not apply.

Essentially, what we are doing here is suggesting that the bill before us supersedes what already exists within the Residential Tenancies Act, but I am yet to be convinced about why this bill is superior to what we have here. Section 68 goes on to say, though, that there are provisions for reasonable compensation from the landlord in respect of any damage to property resulting from the state of disrepair after the tenant has notified and to recover from the landlord reasonable costs incurred by the tenant in having the state of disrepair remedied. There are provisions within an existing piece of legislation very similar to those that the government seeks to introduce in this bill and, again, I ask the question: why is there a need for this duplication?

As someone on this side of the house who now has responsibility for looking at deregulation and ways to simplify the lives of everyday South Australians and how they interact with government, this bill leads me to ask some serious questions. I will be pursuing the following questions in the committee stage later on, but I will read them in now so that I give the department time to come back with some answers.

First, does clause 6 apply to Housing SA properties? Is the government going to be regulating itself? If so, a piece of legislation is not necessarily the correct mechanism for that. Surely the government—being of high standing and supposedly having to adhere to the law and building standards and be model citizens when it comes to complying with existing codes—should not need this extra mechanism.

In relation to clause 12, how many housing assessment orders have been issued over, say, the last five years? I do not know what figures are available, but it would be great to understand how many housing assessment orders have been issued under the existing legislation. In relation to clause 13, I would like to know how many housing improvement orders have been issued under the existing legislation.

In relation to clause 14, how many buildings have been demolished? How many times has the government taken that extreme step under the previous act and said, 'We want you to knock down the house.'? In relation to clause 24, how many buildings in South Australia are the subject of rent controls? Is this a widespread issue or have we seen that, as housing stock is upgraded, the need for this legislation has diminished significantly?

On that issue, I reiterate some of the points that the member for Adelaide raised. Currently, rent control notices are gazetted, which I am sure made a lot of sense in 1940, because the number of houses in South Australia then was a fraction of what it is today, but today there are far superior ways to put this information out there.

With some fanfare, last year the Premier signed into force his Digital by Default Declaration. Alliteration aside, he suggested that everything that possibly can be available online should be, and I am sure that the information collected under this bill should be provided in the same manner. It is worthwhile to have that information out there so that people can make informed decisions about premises that they are looking to rent or premises they currently rent. That information should be out there and readily accessible.

I also want to talk briefly about the amendments we are proposing. First, owner/occupiers should be exempt and free to live in their own houses. Comments made in the minister's second reading speech and by the member for Reynell were around protecting vulnerable South Australians

from unscrupulous landlords. We already have protections under the Residential Tenancies Act and those should be maintained. That said, owner/occupiers do not fall into that category.

We on this side of the house believe in freedom and in the rights of individuals to live as they see fit to the greatest possible extent. For this bill to apply to owner/occupiers not only goes against that fundamental principle but also does nothing to further the stated objective of this bill, that is, to support tenants. Owner/occupiers simply do not fall into that category.

Secondly, I refer to comments made by the member for Bragg, with which we certainly have great sympathy, about the excessive nature of the fines. It does look like nothing more than a revenue-grabbing exercise from the government, and we are seeking to halve those fines so that there is still a strong deterrent factor in the amount of money but they are not so excessive as to underwrite the budgets of government departments.

With those thoughts, I look forward to the progression of the debate. I look forward to seeking answers in committee to some of the questions that I will be raising and certainly other members on our side of the house will be raising, and I look forward to seeing its progression to the other chamber. Hopefully, if we do indeed pass this bill into law, it is a bill that is far more sensible, far more realistic and far more attuned to the realities of life in South Australia in 2016, as opposed to perpetuating some of the issues that may have existed in 1940 but certainly do not apply today.

Mr TARZIA (Hartley) (12:30): I rise to also speak in favour of the Housing Improvement Bill 2015. As the member for Schubert has pointed out, we on this side of the chamber believe that the bill should be supported, whilst being slightly amended. As he has pointed out, there are a number of sections which we have pointed to. I would like to reiterate those concerns and also suggest that members opposite in the government also look to amend these sections. As we have pointed out this morning, we would like to amend section 11 to ensure that the bill only applies to tenanted properties and not owner-occupied, for the reasons that my colleagues on this side of the chamber have pointed out.

We also believe that the penalties in various sections of the bill are excessive. Whilst we on this side of the chamber understand that sometimes you do put in such penalties to serve as a deterrent, I would ask the government to consider and reflect on who exactly they might be hitting with these penalties and, really, is that the ultimate outcome they want? I would ask them to reflect on that, and I would suggest that some of these penalties should be slightly watered down. Penalties, obviously, are important to serve as a deterrent, but I think they are exacerbated and excessive at some points.

Section 41 also should be amended to state that the SACAT should provide all decisions in writing. As a member of parliament, when you have a disgruntled constituent—obviously, I do not have any disgruntled constituents in my electorate, but when they come to me from other electorates—

The Hon. J.M. Rankine interjecting:

The DEPUTY SPEAKER: Order! Member for Wright.

Mr TARZIA: When they come to me from other electorates, some of them have been to SACAT and sometimes I see their frustration when they may not have some of these decisions in writing. I think someone who has a dispute and seeks their day not in court but in the tribunal should have proper closure and should seek that in writing, so I would agree with that amendment.

We also have suggested looking at section 52. That should be amended to ensure that a reasonable attempt is made to serve all the relevant parties to any dispute as well. It has been spoken of how the original Housing Improvement Act 1940 was a long time ago, and it was. It was a very long time ago. Many things were different back then. I believe Winston Churchill became prime minister of the UK in 1940, so they were very different times: economically, socially, for health care, and world-wide events. As has been pointed out on this side of the chamber, dwellings were made out of completely different materials, and climates were different as well.

I have many builders who reside in my electorate and also are in the business of building, and they often tell me how the technology has changed and how what they did many years ago

simply would not apply today. It is essential that this sort of legislation is updated from time to time, for various reasons, to make sure that there are checks and balances on housing to ensure that safety, which is paramount, is maintained. Some of the materials that were used in 1940, and I can think of a couple, have been found to pose health issues, and so obviously the same materials that were used back then are not used in all cases.

There are property prices as well. Obviously, if we allow these dwellings to get into such disarray and decay it also can have an effect on neighbouring dwellings as well. It is also the right thing to do to maintain housing to a quality standard. We are pretty lucky in South Australia. If you go to other parts of the world you soon find out how lucky we are, but I think that is a benefit of South Australia and Australia and we should work to maintain the quality that we have. It also applies to investment. If investors and business know that the levels of housing are at such a good standard, it will also flow through to that part of the economy as well.

In the early stages of the 19th century we know that South Australia had high demand and the standard of living and housing certainly was not as high as it is now. Obviously, this legislation has been put forward to ensure that there are safe and appropriate housing standards in our state. There has been a review of the act and a number of minimum safety standards have been put forward to ensure that owners carry out the maintenance that is necessary. As I pointed out, I think that if we do not continue to monitor this sort of thing and in this type of legislation, we run the risk that people in our state could be exposed to significant safety issues, health hazards, unfair rent or substandard homes.

There was a discussion paper that was released in 2010, as has been pointed out, about this type of legislation and it did receive strong endorsement by the people who are in tenancy support organisations as well. There have also been—I believe, 16—a number of submissions supporting the Housing Improvement Bill as well. Of course, the housing bill 2015 will repeal the Housing Improvement Act 1940.

I reflected on who exactly this would affect most and, obviously, unsuitable and unsafe housing can certainly especially affect lower income households and people like students or new migrants. For a lot of these people it is important that the state puts these protections in place for their welfare more so than anything. It is important that people in our state are able to feel safe and are able to be secure in their own homes, and I think it is very clear that this legislation certainly aims to ensure that dwellings that are built are built to a safe and reasonable standard for human habitation.

When I looked at the HIA 1940 it was quite clear that that act was outdated. I think in one section it even refers to pounds, which we obviously do not use anymore in South Australia. I believe that the bill is relatively explicit. It certainly improves the current legislation and, obviously, what we are here to do on this side of the chamber is to modernise and contemporise our legislation when we can.

There are a number of penalties available under the act for non-compliance. One of them, for example, I believe, is for \$20,000 and, as I pointed out earlier on, I think the government should certainly reflect on who these penalties actually could be imposed upon and what sort of effect that will have and how it will affect the housing market. I think they are excessive in parts and they should reflect on those.

I wanted to talk a little bit about a few sections in particular, starting with section 5. Section 5 talks about prescribing minimum housing standards. Members have expressed that perhaps that can be a little bit vague. I would welcome the minister perhaps addressing how exactly we will keep that to an objective level. Will it be advertised? What level will we be looking at when we talk about minimum housing standards?

In relation to section 8—Delegation, delegation is obviously important, and I imagine that there will be bodies or groups set up to ensure that this sort of legislation is implemented. I think that identity cards, as outlined in section 10, are a fantastic idea. I have talked to a lot of tenants, especially in state housing, who sometimes struggle to understand why their housing manager, for example, changes quite often. I think that would be of enormous benefit; it is such a small section, but I think that would be very worthwhile.

In relation to section 12—Housing assessment orders, and section 13—Housing improvement orders, obviously the minister can issue these orders to the owner of the residential premises if the minister would have reason to believe that, say, the premises are unsafe or they are unsuitable for human habitation. There are sections in place to remediate the defects as well. A lot of the time, however, you will not necessarily be dealing with very wealthy owners. I think the intent is there, and hopefully there are deterrents to do the right thing so that you will not have disputes and end up in SACAT.

It looks very front-end, if I can put it another way; there is a lot of good front-end work here, but I question the back end of the legislation. I notice that SACAT would have jurisdiction, for example, for a dispute in this area of up to \$40,000. I would have thought that if a place is in need of significant repair, you are not really going to end up with a dispute of under \$40,000. It is probably going to be more than that, and it would bypass SACAT; however, I think the intention is good.

The courts are filled at the moment. We know there are enough backlogs in the courts and that the Attorney is obviously not interested in court reform. We have a leaking court at the moment; there are literally holes everywhere in the court system at the moment. But, I think the intention here is good. I think if SACAT can deal with these disputes of under \$40,000, that will go a long way to freeing up other parts of the courts system. So, that is a very good suggestion, and I compliment the writers of the bill and the department; I think that is an outstanding initiative.

The tribunal has been given great powers. I believe that they are adequate, and they are wide. I also notice things like restraining orders that can be implemented. Again, that is a very good suggestion. Obviously, we do not want to be ordering restraining orders if we do not need to; however, that is, I suppose, a measure of last resort.

Sometimes we have no other choice but to issue restraining orders to make sure that we protect property owners, landlords, tenants in some cases, and also the property itself. If these properties are allowed to decay, that can impact upon neighbouring properties. Fires and other things can also be started. It is a measure of last resort, but I think it is necessary for this kind of bill.

I have spoken about reasons. If there is a dispute, without a doubt these reasons should be in writing. I cannot understand why you would not want to give someone an opportunity to have their result in writing. What is wrong with that? I think, for transparency, it is important that someone is given an answer to a case in writing. The register is also a very good idea, to ensure that you keep relevant and appropriate records for this legislation.

Overall, I would well and truly support the intention of the bill. I hope that we have been constructive, as part of Her Majesty's Loyal Opposition, in registering our issues with some sections of the bill. I plead with the minister to take those into consideration for the betterment of the bill, and I commend it to the house.

Mr BELL (Mount Gambier) (12:44): I rise to add some comments to the Housing Improvement Bill, and I want to put on the record that I am not a supporter of many aspects of this bill. I believe it goes against many of my core beliefs of small government and individual liberties. I will detail a few of those concerns, which have already been mentioned. Of course, the main one is the fixing of rent by regulation. I believe in a free market; I believe in the supply and demand principle of a free market; and I believe in getting government out of our lives, not increasing the footprint of government into everyday life.

The fixing of rent by regulation goes against every one of my core beliefs, and when I read that part of the bill I was reminded of a very famous interview with Kerry Packer who was brought before a Senate inquiry. Basically, he was having a very poignant moment where he was saying that before we introduce any new legislation we should first explain to the people which legislation we are repealing or getting rid of, because over the last 150 years there have been thousands and thousands of new pieces of legislation come in, and one could argue that the state is no better off, or that our personal liberties are no better off because of that.

I would go back to the principle of the Residential Tenancies Act, and I firmly believe that if this act was enforced properly then many of the issues that we are trying to address by this bill would also be addressed in due course. We have to be very careful in this place, and also as an opposition,

to make sure that the government does not just take the easy road. The easy road is to come up with more legislation: to put a bandaid on an issue. In actual fact, enforcing the current legislation would achieve much of what this legislation is trying to do.

The other major issue I have is in relation to the recovery of costs and expenses incurred by the minister. I would hate to see us in a situation where the first order is imposed and the owner of said property carries out all work in good faith and is then lumped with exorbitant cost recovery by a government enforcing this type of legislation.

My main concern with this legislation is that it sets up an adversarial situation right from the start. I would like to see more support being put in. From my reading of it, I believe it assumes that owners of properties are perhaps wealthy, perhaps have the means, perhaps are letting these places run down on purpose or deliberately, and yet that may not always be the case. I am all for protecting vulnerable people—it is one of my passions in life—but I honestly believe the Residential Tenancies Act already does that.

The other big issue I have with this and I will not support is including owner/occupiers in this bill, and I want to refer to an example of what I am going through with a constituent at the moment. It does sidetrack a little bit, but it gives an example of an owner/occupier who has been battling for four years to have a house that they had built by a registered builder rectified so that it is fit for living.

The trial and traumas that this couple have gone through, and they are constituents of mine, and the complete lack of empathy by Consumer and Business Services, lack of professionalism and lack of enforcement of rules by the HIA lead me to believe that instead of putting bandaids on solutions, we actually need to address some of these things. This is the story of Monique and Robert McGregor, and they live in Lila Crescent at Nene Valley in what would be a half a million-dollar beach house. They are not wealthy, but they invested all their savings into their beachside house.

This is a letter to the department of consumer and business affairs requesting advice on how to best proceed and to protect themselves due to a builder who has carried out shonky work and who is now putting at risk their premises. The letter states (and I will skip the first part):

These defects have deteriorated over the last few years to a point they are now causing other defects and are rotting our internal framework. If left for yet another winter [without being] remedied, this will cause the home to possibly collapse as stated by the structural engineer.

We have had numerous conciliation meetings undertaken by the HIA approved inspector and the Grant District council. At every one of these meetings the builder agreed to fix the defects. The home has had many structural defects including the following:

1. The home is not built to plans agreed to and submitted to council.
2. Does not meet the Australian building code.
3. Is not built from the materials the engineer and plan stipulate.
4. Does not meet the energy rating that was submitted.
5. The home is not weatherproof and is letting in a large quantity of water, some of which's remain within the wall space even during summer.
6. We have an internal chimney structure that is unsafe to use.
7. We have electrical issues [probably caused due to the water].

We also have wet insulation, mould within the cavity and rotten framework—

Now, this is a brand new house—

—holding up the double-storey stone structure. We have a rebuilt chimney within the home that now emits smoke into the upstairs bathroom, which was not an issue before its collapse and nobody will take responsibility and sign off on its safety. These are just the major issues we are dealing with at present. We now are experiencing electrical issues that could be linked to the water ingress but yet to be thoroughly explored by an independent entity with all the relevant information and history. These issues all date back to 2012. We have had two rebuilds of the front deck and Portico. We have had numerous patch ups and a rebuild of the fireplace...In short, the relevant authorities all have many rules, regulations and codes but we are yet to find a department to enforce any of these thus far. We have no way of controlling when, if or how these repairs are actioned by our builder and the result is:

- A builder that believes there are no consequences for his actions.

- A builder who does only Band-Aid fixes to a standard that causes more defects.
- A builder who is able to whittle away our warranty period doing only minimum work every six to twelve months.
- A builder who blames other contractors and does not take responsibility for the home.
- A council that will not enforce any of its codes or regulations.
- A home that has been a danger to us and visitors.
- A home that has been a building site for four years.
- A home that is not weatherproof
- An asset we cannot afford to fix and cannot sell
- A financial hardship due to the cost of inspections, fees & reports
- Stress and anxiety
- No department to hold the builder accountable for his actions or force him to rectify these issues in a timely or professional standard

I will highlight a history of this home so far:

1. Signed building item schedule 21.12.2010
2. Submitted plans for our home to December...2010
3. Plans approved by council 15.02.2011
4. Slab poured May 2011
5. Timber framework erected...November 2011...
7. Handover of home Easter 2012
8. We reported water and movement issues to builder Easter 2012.
9. Builder investigated some of these issues several months later but no cause was found. We then asked the builder if we could ask for a second opinion to try to find a solution September 2012.
10. We contacted the District Council of Grant to ask for assistance and they attended the residence in September 2012.
11. We employed a structural engineer and independent inspector to investigate issues and write reports outlining current issues on the 11.10.2012.
12. The reports were given to the builder 16.10.2012.
13. A conciliation meeting was arranged with the builder, us and Mr Stratten at the Grant District council offices Circa January 2013.
14. First rebuild started on the 4th of February 2013.
15. Fireplace fell in on Thursday 16 of May 2013.
16. Friday 17 of May 2013 we contacted our independent inspector again for assistance and he attended the property. We were supplied with a supplementary defect report to forward to our builder.
17. Wednesday 22 of May 2013 Mr Kent Hopkins and Mr Gibbs (GDC) attended the property. Mr Hopkins (HIA) urged us to contact the HIA for assistance [which we did].
18. Tuesday 28 of May 2013 I spoke to Gaynor at our local Consumer affairs office and supplied her with our request for assistance and relevant documents/reports.
19. The builder agreed to conciliation with HIA appointed inspector.
20. Consumer affairs contacted us on...29 May of 2013 stating they were closing the file as HIA was now involved, even though we requested them to stay involved they declined, stating we could reopen the file if the HIA conciliation failed, at a later date...
22. The HIA approved independent inspector attended the property and we had a conciliation meeting between us and the builder at a cost on Wednesday 24 of July 2013.
23. A Scott's schedule was drawn up by myself with help from our inspector in September 2013.

It goes on for another three pages right up until January 2016. The latest, because there are three or four pages of this and I will not have time to read it all in, is:

To date this is as far as we have progressed and none of the original issues have been remedied. If we take this case to court we would not attain enough financially to finance a permanent fix of all structural issues let alone finishing to a professional standard following repairs. The structure of the home requires immediate attention as stated in the last structural report pertaining and restricted to the water issues only.

In this letter Monique is asking consumer and business affairs to notify them as soon as possible, outlining how they can bring this debacle to a conclusion. Their response, which she rang me about yesterday, is that the business and consumer affairs office is refusing to get involved.

I wanted to use that case to highlight that we have existing legislation in place which is not being enforced without implementing more regulation. Unless this government can assure me that it is going to be enforced—and its track record is not up to scratch—then I have serious reservations in supporting many, if any, of the amendments put forward.

With that, I leave with Kerry Packer's statement that, before we introduce any new legislation in this state, we first should think: is the existing legislation adequate if it was enforced properly and what legislation should be we be taking out to streamline the process and make this truly a great state? With those words, I will conclude.

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

Sitting suspended from 12:58 to 14:00.

Bills

CONTROLLED SUBSTANCES (POPPY CULTIVATION) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

RESIDENTIAL TENANCIES (DOMESTIC VIOLENCE PROTECTIONS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

TATTOOING INDUSTRY CONTROL BILL

Assent

His Excellency the Governor assented to the bill.

COMMUNITY BASED SENTENCES (INTERSTATE TRANSFER) BILL

Assent

His Excellency the Governor assented to the bill.

Condolence

BANNON, HON. DR J.C.

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:02): By leave, I move:

That the House of Assembly expresses its deep regret at the death of Hon. Dr John Charles Bannon AO, Premier and former member of the House of Assembly, and places on record its appreciation of his long and meritorious service; and as a mark of respect to his memory the sitting of the house be suspended until the ringing of the bells.

On 13 December 2015, we lost a man of exceptional integrity and energy with the passing of Dr John Bannon AO, the Premier from 1982 to 1992. As his family noted on the day he left this world, John was 'a marathon runner to the last', making the most of every minute and living a life full of purpose and faith, of intellectual inquiry and public service. His leadership of the state—his period as South Australia's longest-serving Labor premier—was characterised by integrity, professionalism and purpose. His legacy is all around us to see and appreciate in 2016.

In many ways, John personified that mixture of styles and qualities that is South Australia—somewhat conservative in appearance and manner yet progressive and cultured. Like, I am sure, all members, and as I did at the wake held at Adelaide Oval, I formally extend my condolences to Angela Bannon and the entire Bannon family.

John Charles Bannon was born in Bendigo, Victoria on 7 May 1943. He was schooled at St Peters College, where his father Charles was an arts master, and he won the Tennyson Medal for studies in English and was school vice captain and school prefect in 1961. While earning arts and law degrees at the University of Adelaide in the early 1960s, he demonstrated energy, ambition and precocious talent, not least through his love of amateur theatre.

His lifelong friend and political colleague Chris Sumner recalled John striding purposefully through the university union cloisters—'flowing flax-coloured hair, be-suited as always and carrying a furred umbrella'. Noting his ability as a debater and a student politician, Chris also remembered him on his feet at the Union Hall vigorously demolishing an opponent's arguments at a student meeting.

John became an industrial advocate at the Australian Workers Union and a staffer with Clyde Cameron, a then minister in the Whitlam government. This latter position gave him a front-row seat in one of the most eventful and controversial periods in Australian political history. We can only imagine the impact those turbulent times made on John Bannon and his approach to day-to-day political management.

After first entering this place in 1977 as the member for Ross Smith and holding a series of junior portfolios in the Dunstan and Corcoran governments, he led a very effective ALP opposition from 1979. As a parliamentarian, John focused on practically improving people's lives rather than the heavy matters of ideology or political philosophy. This was evidenced in his first speech in this house made on 12 October 1977 which largely concerned unemployment.

His government, which took office in 1982 and included an impressive front bench, complemented the new era of ALP governments of Neville Rann and Bob Hawke, and operated in marked contrast to that of Don Dunstan. In the 1992 book entitled *The Bannon Decade*, Flinders University academic Andrew Parkin writes that John's government was:

...regarded for most of its tenure as a competent financial manager under the leadership of a prudent and parsimonious Premier...Far removed from Dunstan's flamboyant emotionalism and theatrical flair, Bannon instead projected a careful, methodical, low-key and cautious image.

I think he could be compared to the opening batsman in a test match: patient, risk averse, technically sound and determined to build a solid foundation. Nevertheless, there were many highlights across John Bannon's long and well put together innings in government. Let me list just a few:

- the passage of far-reaching legislation in the areas of equal opportunity, workers safety and occupational health and safety;
- electoral reform, including the introduction of four-year terms for this chamber;
- the granting of Aboriginal land rights at Maralinga;
- the establishment of new housing developments at places like Golden Grove, and the pursuit of urban consolidation of the kind that occurred at the site of the old Rowley Park Speedway;
- parole reform and the provision of greater support for victims of crime;
- the formation of the University of South Australia;
- the signing in October 1990 of an agreement for friendly relations between South Australia and the Italian region of Campania;
- laws prohibiting the clearance of native vegetation;
- the banning of tobacco advertising;
- the decriminalisation of minor marijuana possession;

- the construction of Australia's first convention centre;
- the Entertainment Centre;
- the magnificent Bicentennial Conservatory;
- a huge increase in year 12 retention rates and outstanding work in early childhood development; and
- the creation of a better and more socially equitable health service, partly through a focus on mental health, drug and alcohol problems.

Of course, it was not all plain sailing for John Bannon. The multifunction polis never really gained public support or made it off the ground. The scrimber project in the in the South-East failed, and there were heated battles within the ALP at the national level, including with regard to the approval of the Roxby Downs uranium mine. There were long-running and sometimes emotional controversies. These included plans for major tourism and resort projects at Wilpena Pound, Glenelg, Sellicks Beach, Mount Lofty and, of course, the closure of Marineland at West Beach.

It is a sad and cruel irony for a man widely respected for his sound management and careful oversight of public funds that John Bannon's premiership will always be inextricably tied to the collapse of the State Bank. In the late 1980s and early 1990s, he found himself in an extremely difficult position. Though the operations of the bank were certainly within his bailiwick, he relied upon the advice of bank executives and took what is described as an appropriate arm's-length approach.

In a recent News Limited column, David Penberthy wrote that in his view John was a victim of the times, the freewheeling days when people such as Alan Bond and Christopher Skase were king in an immature internationalisation of our finance sector. He wrote:

At the height of this laissez-faire period, the idea of a Labor premier with no business background, telling the supposedly smart guys at the state bank how to run their affairs is fanciful revisionism. Bannon would have been laughed out of town by the big end of town as some latter-day Salvador Allende... The truth was, the bank had covertly run off its axis through bad borrowing practices, over which the government had no control. Bannon was more patsy than perpetrator in that \$3.15 billion debacle.

But it is true that the cost of the bank's bailout had a terrible detrimental impact on the state's finances and on the lives of individuals. As the royal commission found, serious errors were made. In his capacity as treasurer, John was ultimately responsible. This was something he never sought to deny, to avoid or to minimise. He neither publicly complained nor appeared outwardly bitter. He took it on the chin.

While I know that the prominence given to these events in the eulogies concerning John Bannon cause enormous pain to his family, in my view it should be some comfort to them to know that this was his finest demonstration of his character. His acceptance of responsibility was a necessary part of the healing process for our state and, indeed, for our party. That John Bannon was the leader of a competent government, was a conservative treasurer and yet was responsible for financial losses on a massive scale represented a great contradiction. These apparently contradictory facts are undeniable and prevent us from reaching a simple, neat reckoning of his time in office; they will forever sit side by side. As John himself suggested, history and the people of South Australia will make their ultimate judgement.

Since John Bannon's death and over the Christmas-New Year period, I have spent some time thinking about his decade as Premier and the things he achieved. We see now, in 2016, he was ahead of his time. He recognised that change—big change—was coming to South Australia and that we should anticipate it rather than be overwhelmed by it. He endeavoured to diversify the state's economy and, in particular, move us up the value chain in the field of manufacturing. It is true that the situation regarding employment, which John Bannon the parliamentarian was concerned about from day one, remains an acute concern for this state. At the same time, however, many of the good things we enjoy today and that we are seeking to build upon have more than an echo in the work of his government.

For instance, the meeting I just had a few hours ago with Mitsubishi Heavy Industries about the prospect of building the Future Submarine project here in South Australia would not have even taken place if it were not for John securing the Collins class submarine work in South Australia. We

might not be running world-class sporting events, such as last month's Tour Down Under and the upcoming V8 Supercars event, if we had not gained the experience that came from hosting Australia's Formula One Grand Prix in the 1980s and 1990s. We would not be revitalising the Riverbank Precinct from such a solid foundation if the Bannon government had not opened the way for the Adelaide Casino and Convention Centre through what was at the time called the ASER development.

I certainly would not be preparing to visit the Chinese province of Shandong in April and celebrate the 30th anniversary of our sister state relationship if John had not lifted our collective sights and reached out to the People's Republic all those years ago. It would have been appropriate for John to attend those celebrations and be acknowledged for his endeavours. I was, though, glad to see John acknowledged at a special event when we had the Party Secretary for the Shandong province late last year, where he was widely acknowledged and appreciated for his efforts. As I suggested at the start, his efforts have come to fruition in so many ways, and we owe him a great deal.

I wish to end my remarks this afternoon by saying a little about John Bannon's personal qualities. Even at the pinnacle of his career, when he was popular and widely respected in the community and had achieved so much, he remained self-effacing and fun. He was the kind of person who, despite being the number one ticketholder at the North Adelaide footy club, preferred to sit in the outer at Prospect Oval than the grandstand. His unloading of his own luggage after a long overseas journey surprised fellow travellers and spoke to his great humility. He loved tending to the bees he kept in his backyard at Prospect. He enjoyed getting together with his old university mates upstairs at Chesser Cellars, where they would have long, jovial lunches. Sometimes, in December, under John's direction, they would sing Christmas carols from his old song book.

One of his former staff members, Stephen Marlow, recounted recently how, on an official visit to China, John caused a minor security scare by emerging from his hotel in his favourite blue singlet and black shorts for his morning run. People who, moments before, had appeared to be pedestrians, vendors and street sweepers suddenly showed their true colours as undercover security personnel and sought to stop him in his tracks, but he smiled politely and raced off, leaving security puffing in his wake.

As his daughter Victoria said in her eulogy, at home he was something of the class clown. He would always make time for bike rides, visits to the zoo or Magic Mountain and her netball matches. He would also perform breathtaking daredevil stunts like climbing onto the roof in thongs and singlet to clear gutters in a thunderstorm, or acts of secret do-gooding such as guerrilla gardening, where he would sneak into public parks under the cover of darkness to plant a few seedlings in unsightly bare patches.

What stood out most to me was his amazing resilience and generosity of spirit, his constant desire to contribute and to be part of the common good and take part. We saw this post retirement in his membership of the boards of ABC, SACA, the Stadium Management Authority and his seven years as master of Saint Mark's College. At a time in his life when most of us would have been content to put up our feet, John completed a PhD at Flinders and contributed to the work of that university, including through the establishment of the Bannon collection within its library. It was entirely unsurprising that on Australia Day in 2007 John was made an Officer of the Order of Australia for service to politics and to the South Australian Parliament, to history, particularly through researching and publishing in the subject area of Australian Federation, and to the community through sporting, cultural and welfare organisations.

When I first became a minister for local government in 2002, I sought his counsel as a former minister in that portfolio. I greatly valued the advice and mentoring he offered in the subsequent years, always offered without fanfare, generously and wisely. Based on his fascination with Australian history and the challenges he dealt with as Premier, he did a lot of valuable work as part of the expert panel on the reform of commonwealth-state relations. Despite being in very poor health and having difficulty travelling interstate, he shared this work with the Prime Minister, me and state and territory leaders very late last year, and delivered a final report in the week before his death.

On the last occasion I saw John he spoke to me with great passion about Federation reform and urged me to press ahead and never tire on that front. In a similar way, John summoned the energy just two days before his death to officially open an exhibition of his father's artwork. He was determined to attend the inaugural day-night test match contested by Australia and New Zealand at Adelaide Oval, which he managed to achieve.

In all things, as his daughter also said, John had a sense of duty and obligation to always follow through on a promise, a commitment, no matter how inconvenient it may become. Mr Speaker, we lost a great South Australian late last year with the passing of John Charles Bannon. The range and number of people who attended his state funeral, the warmth of their reminiscences, showed just how he was loved and respected. It is true that a good and fulfilling life is one served with purpose. If that is the case, then John's life was rich and successful beyond measure. I doubt that I will know a more decent, kind and wise man in public life, one who never stopped working for South Australia.

During the final visit that John made to my office I had fun showing him a remnant of his time occupying that office. There still amazingly is an electronic clocking box in the corner of the office. I took John to look at it and showed him that his name was still there and he was still clocked on.

Mr Speaker, on behalf of my parliamentary colleagues on this side of the chamber and members of the Australian Labor Party, I say: John, you can rest now, rest in peace, my friend.

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:18): I rise today to second the motion that the Premier has put forward today and to place on the record the sincere condolences of the South Australian Liberal Party on the passing of the Hon. Dr John Charles Bannon AO. We extend our sympathies to his family.

Dr Bannon had a long career in public life and one that left a lasting impact upon the state of South Australia. He started his life in Bendigo, where he was born in 1943. He received his education at St Peter's College in my electorate, where his father was the art master.

After finishing school, John Bannon went on to graduate from the University of Adelaide with degrees in arts and law. It was at the university where he became heavily involved in campus life and student politics, which eventually led to him becoming President of the National Union of Students.

After graduation, he worked as an adviser for Labor minister Clyde Cameron in the tumultuous Whitlam government. Dr Bannon first entered the South Australian parliament in 1977 during the twilight years of the Dunstan government. He was only 34 at the time but, despite his young age, was quickly promoted to cabinet with his responsibilities including community development, ethnic affairs, local government and recreation and sport.

Dr Bannon was elevated to the role of opposition leader following Labor's electoral defeat to the David Tonkin-led Liberals at the 1979 state election. After just one term in opposition, John Bannon led his party to victory at the 1982 election, becoming South Australia's 39th premier as well as treasurer.

Dr Bannon's premiership contrasted with the social reforms of the Dunstan era by putting an emphasis on broadening the state's economic foundations. While Premier, Dr Bannon oversaw the first Australian Formula One Grand Prix in Adelaide and the construction of the Casino and the Convention Centre.

As Premier, Dr Bannon was able to lead the South Australian Labor Party to three successive victories, becoming the longest-serving Labor premier in this state's history. Those who worked with him described him as 'tireless' and 'dedicated'—traits which were evidenced by his love of competing in marathons, of which he completed 28 in total.

As is sometimes the unfortunate nature of politics, you are often remembered for your worst moment rather than for your many years of public service or sound policy development. Dr Bannon was of course at the helm during the State Bank collapse in 1991, which ended with him taking ultimate responsibility and retiring from parliament in the following year. It was the ultimate mea culpa, and I believe it was indeed the honourable thing to do in the circumstances.

In the subsequent months since Dr Bannon's death, there have been a number of notable Australians who have commented on his actions in the wake of the State Bank crisis. Former prime minister Bob Hawke described him as being, and I quote, 'a man of total decency, enormous capacity and very self-effacing...[who] accepted responsibility beyond the bounds of necessity in the case of the bank.' I am sure that history will reflect upon this with the benefit of hindsight.

After parliament, Dr Bannon continued his involvement in many cultural, community and sporting groups. He achieved his doctorate through Flinders University, held an adjunct professorship at the University of Adelaide and held residential fellowships in London and Edinburgh. He also served as an honorary fellow and the master at St Mark's College for seven years. He became an expert on federalism and, in particular, on the life of Sir John Downer who he described as the 'father of Federation'. Only four days before he died, he travelled to Sydney to meet with Prime Minister Turnbull to discuss the federalism white paper.

On a personal note, I had the great fortune and privilege of meeting with Dr Bannon on a number of occasions through one of his other great loves, that of cricket. He was a board member for Cricket Australia and also for the SACA. On all of those occasions where our paths crossed, he would seek me out at one of these functions, and we would always end up in a wonderful conversation. He was a true gentleman, there is no doubt about that. In all of these conversations, I found him to be a particularly thoughtful and engaged person, clearly with a great continuing love for South Australia and for Australian politics.

John Bannon was Premier of South Australia for nine years and 299 days—a record surpassed only by Sir Thomas Playford. His service to South Australia was immense. I know that he will long loom large in the history of the South Australian Labor Party. He is survived by his wife Angela, daughter Victoria and stepson Dylan. I pass my heartfelt condolences on to them and to Dr Bannon's many, many friends at this very sad time. Vale, John Bannon.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (14:24): I will be brief in my contribution, as I do not wish to traverse the many matters of detail that were canvassed by the Premier and the Leader of the Opposition. I just wanted to say, from my perspective, I had the privilege of knowing John Bannon from a period in my teenage years when he was working with the then federal government. As circumstances unfolded, it turns out that I presently represent in the seat of Enfield an area which is very similar to the seat of Ross Smith, which of course was his seat when he was a member of parliament.

There are so many facets to the life of John Bannon, many of which have been canvassed, but he really was a remarkable man in so many different ways: his obvious engagement and interest in politics (both practical and theoretical), his interest in the law, and his interest in history. I am reminded, Mr Speaker, as you perhaps would recall, of his particular fascination, at least at one period of time, with Charles Cameron Kingston.

He did some considerable amount of research into Charles Cameron Kingston. I remember having a number of conversations with him about this gentleman, whose bust appears outside of this room. It was evident to me, after my conversations with John, that Kingston was a man who would have been very interesting to have met, but John appeared, through his research, to almost know Kingston personally. He was able to sort of recount things about him as if he was talking about an intimate friend who he could pick up the phone and talk to. He really was a passionate historian.

Obviously, at the end of his premiership, he confronted the terrible issue of the bank, but I have been reliably informed by some who were associated with his period as Premier—that long period as Premier—that he was extremely careful, actually, both in his personal habits and in the habits of the government, to the point where I have heard some of them complain about having sandwiches at cabinet lunches instead of a decent feed, like apparently they used to get earlier on. He was certainly not a profligate fellow by any means.

Ultimately, in the end—and I think this has been observed by others—for him to willingly absorb all of the pain and the opprobrium and the guilt, if that is an appropriate word, for the debacle of the State Bank without complaining, on behalf of not only the Labor Party but the people of

South Australia, and to go through all those additional years not departing the scene, not running away, just quietly getting on with being a participant in the life of the state (a very active one at that), I think is an enormous testament to John's character. We have lost a great South Australian and a great man, and I think when ultimately some historical account can be put together about John, the way in which he has conducted himself, not only during his period of office but post that period, will speak volumes about his enormous integrity. My condolences to his family.

The Hon. S.W. KEY (Ashford) (14:27): I am very sad to be part of this debate, but I also feel that I have been very fortunate in that I had contact with Dr John Bannon over many years. Certainly when he was a backbencher and opposition leader, he as the member for Ross Smith was very supportive, like Don Dunstan, of the Flinders University Labor Club. As much as it seemed like a very obscure connection, he would actually make time to come and see us, always in his suit. I remember a couple of times asking him if perhaps he had some casual clothes, and he said, 'No, I always wear my suit. You never know when you may be called on to speak to the media or do something.' I must say, he did look rather out of place up at Flinders University, certainly in those days. It has probably changed now.

He was also very understanding, because although I was an adult student, I was also a student politician, so he understood why it was important that we did participate as Flinders University in the National Council of ALP Students. Not many people would have understood that, but he did. Also, when I was later the general secretary of the students' association, he understood that that was an important thing for a Labor supporter to do as well. In those days, there were people of much further left-leaning politics who dominated Flinders, but the progressive Labor Club marched on. Also, the Australian Union of Students: he, like me, had been an executive member of the Australian Union of Students, so I did not have to explain to him why this was an important agenda. Most people do not get student politics, and they are probably the better for it, but he did understand what it was all about.

I was very fortunate, because after Dr Tonkin—who I must say was an excellent boss—Premier John Bannon was also responsible for the Working Women's Centre in an indirect way, through the women's advisory unit. I know that my friends from the women's advisory unit, including women's advisers like Carol Treloar, very fondly remember their time working directly with John Bannon as their boss. He was also someone who was very much involved in the work of the women's information switchboard (as it was called), the women's health centres, and the whole portfolio for which the women's advisory unit was responsible.

I must say that, while the Working Women's Centre was a very small unit in those days, John would actually come to many of our events. It did not seem to worry him in the slightest that he was the only man at a lot of those events. I do not even think he noticed that that was the case, because he had no problems with dealing with us as women. He was quite at home, which I must say was quite admirable, in the migrant women's events that we had in those days. In the early 1980s, the women were very determined to make sure they lobbied the Premier about issues that they thought were of concern. They had absolutely no inhibitions about making sure they cornered him and talked to him about issues.

John Bannon supported the very important repetition injury campaign; there was not a lot known about repetition injury in those days. He also supported our equal pay campaigns, including our maternity leave campaign—in those days, it was maternity leave, which later went on, I am pleased to say, to parental leave—and equal opportunity and antidiscrimination legislation. We, along with the women's advisory unit, really felt that we had a Premier that understood—as did Dr Tonkin, as I said—why it was important to have these services and campaigns.

Also during that time, as a trade union official—I know many of fellow trade union officials would want me to say this—there were a number of advances in the Public Service in particular with regard to industrial provisions. A lot of those things went to the industrial commission and actually formed part of some of the entitlements that public servants have today—things that I think we take for granted.

John Bannon was also involved with some of the major trailblazing industrial legislation that we had in South Australia in the 1980s. This was along with the late Jack Wright and the late Frank Blevins, who I must say I also had the honour of working with. This industrial relations

legislation is obviously still important today. The industrial health, safety and welfare act that some of the trade union officials in here will remember having to defend and use, and the workers rehabilitation and compensation act, obviously come to mind as really important legislation that formed a template for other places in Australia and New Zealand.

Other legislative changes included adoption leave, which was a fairly radical provision in those days. Now, although there is not a lot of adopting that happens, we understand why that provision was important for new parents who were in the paid workforce. With termination, change and redundancy, which is sadly something that we are having to look at again now, they were making sure that people did not leave a job with absolutely nothing. There were lots of other test cases that took place during this time, supported by the Bannon government.

Later in life, John Bannon was a supporter of the Trade Union Choir. He understood why that was a good thing, and came to some of our performances. I think some of his family will remember some of those performances as well; we appreciated them being there. He also supported the local labour history group, which has gone from strength to strength. We had the opportunity, through the labour history group, to hear about some of the study that John had been doing at Flinders University, particularly leading up to his doctorate, and after that as a lecturer. He supported the Junction Theatre Group, which was a work-based theatre group in those days, and the Community Arts Network, which has just closed down after 35 years, I am very sad to report. He understood, again, why it was important to have a peak community arts body in South Australia.

He was kind, supportive, a man of great humour. There are a whole lot of jokes I could tell the house about some of the times, particularly in the industrial arena. He was a very quiet influence on a whole lot of us. I will miss him terribly, but my condolences go to Dr Bannon's family and extended family and friends.

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (14:35): Thank you very much, Mr Speaker. I rise also to talk to this condolence motion. I first knew John Bannon as a young journalist starting out at Adelaide's *The News*. The things that he did in those first years of his premiership and bringing the Australian Formula 1 Grand Prix to South Australia really changed the way in which South Australians thought about our state and gave us a great sense of pride.

I remember that no-one really knew what to expect but we knew that the world was coming to Adelaide for the first time on that scale, probably ever. People were buying tickets just to go down to see what was happening there, and to be anywhere in Adelaide and to hear the roar of those engines that you could hear right across the plain to the north and to the south. The only reason we got that was because John Bannon was a great man at building relationships and going and talking to people.

He met Bernie Ecclestone, I think, in a pub in Surrey where they had their first conversation. They worked on it from there and they built up a great deal of trust between the two of them. The Australian Formula 1 Grand Prix, at a time where Formula 1 was in its golden era with Prost, with Senna, with Mansell, and coming hot off the heels of having Alan Jones as a world Formula 1 champion, we had the interest in Australia for the first time in many years in following Formula 1 motor sport. Bernie Ecclestone stuck to his word, stuck to his guns, and said to John Bannon, 'For as long as you're Premier, you'll keep this race in South Australia', and he held true to that.

In 1987 I remember being down at the Colac Hotel in Port Adelaide with John Bannon, Mick Young and Kim Beazley. Kim was up on a chair singing Irish songs by the end of the night. The Good Time Rascals were playing *Yellow Submarine*. Bob Hawke was there. We were celebrating another great milestone in South Australia's history, the awarding of the contract to build the Collins-class submarines in South Australia—great days indeed for our state being led by a premier who saw the vision to take us to the international level.

In 1989 during the election campaign (which I was one of many journalists covering) I remember being at the Bicentennial Conservatory which John Bannon as Premier opened and which is one of the most significant architectural buildings anywhere in South Australia. It is a pity that it is

kind of hidden and out of the way, but it is a stunning building and one that serves a great purpose as well.

But then, of course, we had the State Bank disaster and it was almost a lynch-mob mentality in South Australia in those days with the loss of billions of dollars. That mentality sort of went through the news rooms as well, and some of us journalists at the time were very eager to get out to try to get to the bottom of the story.

The only person who had not slunk off into the shadows and hidden, like people such as Tim Marcus Clark, who would not comment, the person who stood out there and said that the responsibility ended with him, whether it did or not, was John Bannon. I think that all the journalists of those days—and I was talking to John Ferguson who is now the Australian bureau chief in Melbourne but who was *The Advertiser's* political reporter at the time—every journalist, said that John Bannon was a thoroughly decent man and one of the best politicians they had ever been involved in covering as journalists.

I remember talking to John a few years later, apologising to him for how harsh we were, and Angela, for the personal effect that had on your family and to his mates like Chris Sumner. It was a hard time and we did go in hard. I remember apologising to John and he said that it was okay, 'You were just doing your job.' I think that we might have been a little over zealous, but it was a big story in South Australia, yet we were doing our job. What a great human being to be on the other side of that and to come through it with that sense of forgiveness to those who were making it hard for his family and friends.

John was a recreation and sport minister (the portfolio that I have now) and I want to get onto the record some of his great achievements. He completed 28 marathons, 11 of them in under three hours and most of those 11 were done whilst he was the Premier and Treasurer of this state. So, he got the work/life balance down to a T, in terms of having time for his family, having time for his health and having time for leading this great state. He was also known for his leg breaks, but probably better known in the cricket arena for the work he did after he stopped bowling. He was a member of the Cricket Australia board and also the SACA. He was a director of the SACA board since 2000 and he was on the Cricket Australia board since 2008, and the Stadium Management Authority since its inception in 2009.

He was always a good person to just ring up to talk about politics and to talk about cricket. Last year, when Cricket Australia was trying to, I use the word 'extort' money out of the states to guarantee that we would have a test match and an Australia Day fixture here, you can imagine that John was not very happy with the direction the sport that he loved was heading and we had a number of conversations about that.

In 2007-08, John Bannon represented SACA in negotiations with the State Library and the Bradman family which resulted in the relocation of the Bradman collection from North Terrace to the Adelaide Oval. He was co-chair of the National Indigenous Cricket Advisory Council, overseeing recent governance changes to Australian cricket. He was an honorary life member of the SACA, which was bestowed on him in 2014 for his lifelong contribution to the game. He was a member of the Lord's Taverners and a life member of the Adelaide Turf Cricket Association and, of course, he made a significant contribution to the Adelaide Oval redevelopment and Australian cricket governance reforms.

The interesting thing is that, when you go down to the Adelaide Oval, you see the names of a lot of politicians on things, but John Bannon was never one to get his name put up on things. So, if you look around you will not find his name there. You will find a lot of others, who may or may not have done as much but whose names are there. John was always that way. He went about his work for the good of the state, for the good of the game and for the good of the people around him.

The last time I saw John was a few days before he died, which was at the Adelaide Oval test match, the first time ever in the world we had had a day/night match with the pink ball, and John was there, as he was at every Adelaide test match, enjoying it. It was also terrific to see him on the Friday night before he died, just two days before he died, opening an art exhibition of the works of his late father. He was a man who ran marathons, who fought hard for his state and stuck up for his people

right through to the very last days. To Angela, all the family, Chris and all of John's friends, my deepest condolences.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:43): The first time I voted was the last time John Bannon stood, as our leader, for Premier in 1989 at the state election. I remember the debate at home between my mother and father about whether we would support Heini Becker or whether we would support the Labor candidate, Mr Peake. I do not remember the Labor candidate. I know him now because his son is involved in the party, and he is quite a prominent union official within the SDA.

I remember the discussion at the dinner table the night before the election about why dad was going to vote Labor and mum was looking very forward to, the next day, kicking the government out. I remember the debate became around Mr Bannon personally. Despite my mother's then adamant view that no Labor governments were ever any good, she did believe very passionately that Mr Bannon was a very good and decent man and that, despite being Labor, he was a very good politician. I do not think she voted Labor the next day, but it certainly formed my view about him, given the way my parents, as migrants, who had these two opposing views, and looking at a man from afar, who they had only ever seen on TV or maybe at a multicultural event that he may have attended, that despite her views (politically) she could see the decency in him from afar.

He modernised the Australian Labor Party. That is something that we owe him a great debt for. The leadership between Dunstan and Bannon was very, very different. The Bannon model is more contemporary to today's campaigning techniques and more contemporary to the model the South Australian Labor Party offers its constituency of conservative but progressive thinking and sound management (as much as we possibly can) to ensure that we offer a good economy. What he has taught us is to always keep our eyes on the economy.

Obviously, his legacy will be debated long after we are all gone about how that occurred in the 1980s and early 1990s, but he was passionate about our identity and passionate about who we were. I remember speaking to him just before the 2014 election and he was commenting on how he thought we might or might not go. He saw a lot of similarities between us in 1989 and in 2014. He said many people had written him off as well.

I think, ultimately, what John Bannon says about South Australia is what a lot of our premiers say about South Australia, whether it is Tom Playford, Don Dunstan, John Bannon or even, I think in time, John Olsen. These people have served this state and have punched above their weight exceptionally well. John Bannon did that exceptionally well within the Labor movement and, indeed, during the 1980s. At a time when Labor was at its highest ascendancy across the country, John Bannon was a very powerful force for South Australia and a very powerful advocate for our state. I think we have seen that reflected in subsequent governments, that is, trying to get more for South Australia on a national stage; and that is something he taught us, and taught us well.

I will be honest. I did not know him very well. I only met him a couple of times. We talked about his time as Treasurer and about Treasury and how difficult, and compliant, they can be when they want to be. Ultimately, he was someone who had a passion for service and for that we all owe him a great debt of gratitude. I think history will judge him very kindly. I think he deserves to be judged differently with time and I think he is one of those rare exceptions in politics where the public perception of him is very, very different from what he was actually like and, in the end, he graced this chamber and enriched it and we are better for having had him as our premier than not.

The SPEAKER (14:47): I served in the 47th Parliament with JB. In August 1992, with Terry Roberts calling for his resignation, I became the last Labor MP to publicly express support for his continued premiership. I remember JB as shy and reserved, even on the campaign trail, though he could act and sing and dance and was particularly accomplished with Gilbert and Sullivan.

His rise in politics was unusual for the time but has since become the norm—student politics (including editing the University of Adelaide's student newspaper *On Dit*), full-time students association job, first university-educated employee at the SA branch of the Australian Workers Union and private secretary to a federal minister. The federal minister for whom JB worked was the

Hon. Clyde Cameron, a factional warlord who wielded much more power than any in today's balkanised or, I should say, democratised ALP.

JB, I am told, dressed all through university and his rise in the ALP like his father's generation rather than his contemporaries, for which we should give thanks. He always looked youthful, though, and, shortly after he became leader of the parliamentary Labor Party, I think the then federal deputy leader Lionel Bowen said of him, 'He's a fine boy.'

I joined the ALP the year JB became leader and I recall many years of struggle in trade unions and party sub-branches between those who supported JB and those who supported Peter Duncan. When he became leader of the parliamentary Labor Party after the 1979 election defeat, JB said, 'Those in the party who wanted a new Dunstan were not going to get one with me.' This was a good thing, and his chief of staff Geoff Anderson was there to din it into me and others just what a good thing that was.

In his maiden speech, John Bannon criticised MPs' use of travel and accommodation allowances and he always led by example on that score and set the tone on these matters when he became premier. JB, knowing my interest in history, pointed out to me that it was he who had made the decision to restore the photograph of the so-called 'rats' to the caucus room. I refer to the South Australian Labor leaders who had supported the conscription referendum during the Great War. When JB resigned as Premier in 1992, prime minister Paul Keating said of him:

John Bannon produced and maintained one of the most sound financial positions of any State in the Commonwealth. The State's finances were not put into difficulty by general government spending but rather losses generated by a financial institution which the State owned.

In fact, JB was such a good economic manager in the 1980s that there was talk in 1988 that he would be invited to become Bob Hawke's successor as prime minister. Upon resigning as premier in 1992, JB stayed in parliament on the back bench. It was good to be able to have long conversations with him but his staying was also important to the ALP. In the 1993 state election the Labor candidate for Ross Smith trailed the Liberal candidate on primary votes and was only elected narrowly on Democrat preferences. There is no doubt Labor would have lost a by-election in Ross Smith and probably would have failed to regain the seat at the general election if it had a Liberal Party incumbent.

I should add—and the Deputy Premier alluded to this earlier—that JB managed to talk me into the worst decision I ever made as a minister, though he shares responsibility with the Deputy Premier, Justice Tim Stanley and retired Police Association president Peter Alexander. This arose from JB's interest in the history of Federation. That decision was granting permission to exhume the remains of Charles Cameron Kingston from the family crypt at West Terrace, to DNA test it to see if Charlie had any descendants. I was assured that Charlie would be really chuffed if people knew just how many children he had fathered. I stood against this for almost two years and then foolishly granted the request. No usable DNA was obtained.

I am pleased that JB chose West Terrace as his location to await the day of judgement for if there is life between death and the apocalypse, West Terrace will be the most convivial and interesting place in South Australia to be.

Motion carried by members standing in their places in silence.

Sitting suspended from 14:54 to 15:04.

Parliamentary Procedure

ANSWERS TABLED

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

PAPERS

The following papers were laid on the table:

By the Speaker—

The following reports have been received and published pursuant to section 17(7) of the Parliamentary Committees Act 1991—

Public Works Committee—

539th Report entitled Welch and Waterport Roads Roundabout Hindmarsh Valley

540th Report entitled Rescue Retrieval and Aviation Base

Local Government Annual Reports—

Adelaide City Council Annual Report 2014-15

Adelaide Hills Council Annual Report 2014-15

Alexandrina Council Annual Report 2014-15

Barossa Council, The Annual Report 2014-15

Burnside, City of Annual Report 2014-15

Copper Coast, District Council of the Annual Report 2014-15

Gawler, Town of Annual Report 2014-15

Grant, District Council of Annual Report 2014-15

Holdfast Bay, City of Annual Report 2014-15

Kingston District Council Annual Report 2014-15

Light Regional Council Annual Report 2014-15

Lower Eyre Peninsula, District Council of Annual Report 2014-15

Mid Murray Council Annual Report 2014-15

Norwood, Payneham and St Peters, City of Annual Report 2014-15

Port Pirie Regional Council Annual Report 2014-15

Prospect, City of Annual Report 2014-15

Roxby Council Annual Report 2014-15

Salisbury, City of Annual Report 2014-15

Southern Mallee District Council Annual Report 2014-15

Streaky Bay, District Council of Annual Report 2014-15

Tumby Bay, District Council of Annual Report 2014-15

Unley, City of Annual Report 2014-15

Wakefield Regional Council Annual Report 2014-15

Whyalla, Corporation of the City of Annual Report 2014-15

Yankalilla District Council Annual Report 2014-15

Yorke Peninsula Council Annual Report 2014-15

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

Legal Practitioners Disciplinary Tribunal—Annual Report 2014-15

Professional Standards Councils—Annual Report 2014-15

Summary Offences Act 1953—

Dangerous Area Declarations Report for Period 1 October 2015 to 31 December 2015

Road Block Establishment Authorisations Report for Period 1 October 2015 to 31 December 2015

Regulations made under the following Acts—

Electoral—Miscellaneous Amendment

Spent Convictions—Definition of justice agency

Supreme Court—Probate Fees

Victims of Crime—Levy

Rules made under the following Acts—

Legal Practitioners—Legal Practitioners Education and Admission Council—Amendment No. 9

Magistrates Court—

Civil—Amendment No. 10

Criminal—Amendment No. 55

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

Rules made under the following Acts—

Liquor Licensing—Notice—Late Night Trading Code of Practice
Liquor Licensing—Definition of liquor
Lottery and Gaming Act 1936—Poker

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

Vinehealth Australia—Annual Report 2014-15
Regulations made under the following Acts—
Primary Industry Funding Schemes—Deer Industry Fund—Amendment

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

Adelaide Convention Centre—Annual Report 2014-15
Regulations made under the following Acts—
Major Events—Santos Tour Down Under 2016

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

Outback Communities Authority—Annual Report 2013-14
Local Council By-Laws—
District Council of Mt Remarkable—
No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Roads
No. 4—Local Government Land
No. 5—Dogs
No. 6—Cats
Wudinna District Council—No. 2—Moveable Signs

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

Pastoral Board—Annual Report 2014-15
South Australian Water Corporation—Annual Report 2014-15
South Australian-Victorian Border Groundwaters Agreement Review Committee—
Annual Report 2014-15
South Eastern Water Conservation and Drainage Board—Annual Report 2014-15
Regulations made under the following Acts—
Children's Protection Act—Miscellaneous
Radiation Protection and Control—Ionising Radiation Amendment

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

Death of—

Jeremy Harding-Roots, Inquest into the Death in Custody of, pursuant to the
Coroners Act 2003

Mark William Payne, Report of actions taken by Department of Correctional
Services dated 1 December 2015 following the Inquest into the death of
Shane Rene Blunden, Report of actions taken by Department of Correctional
Services dated 30 November 2015 following the Inquest into the death of

Regulations made under the following Acts—

Heavy Vehicle National Amendment Regulation under the Heavy Vehicle National

Law—Regulations

Heavy Vehicle National Law (South Australia)—
Expiation Fees Amendment
Miscellaneous

Motor Vehicles—Definition of emergency worker

Road Traffic—

Miscellaneous Amendment

Road Rules—Emergency workers
Rules made under the following Acts—
Road Traffic—Light Vehicle Standards

By the Minister for Housing and Urban Development (Hon S.C. Mullighan)—
Riverbank Authority Financial Statement—Report for Period 2014-15

Condolence

PLACE, MS BEVERLEY

The SPEAKER (15:09): Members will be sad to hear that Beverley Place, a Hansard reporter, passed away on Saturday 16 January after a series of strokes following treatment for cancer. Bev commenced as a Hansard sessional typist in 1982, in the days of carbon paper and hard copy only. As technology was introduced and the typists' role ended, Bev went on to become a reporter.

Bev always said she loved being a reporter, working at parliament with great people, doing the job she loved, and how happy she was to come to work. Bev was held in very high regard by all her colleagues and by staff here at Parliament House. She worked until mid-November last year, when she commenced sick leave. She is sorely missed by her good friends and colleagues in Hansard. We wish the best for her sons, Todd and David, daughters-in-law, Anna and Abbie, her family, friends and colleagues.

Ministerial Statement

NUCLEAR FUEL CYCLE ROYAL COMMISSION

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (15:10): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: Mr Speaker, 12 months ago the government announced its intention to establish the Nuclear Fuel Cycle Royal Commission, the first of its kind in the nation. The commission was established to undertake an independent and comprehensive investigation into South Australia's participation in four areas of activity that form part of the nuclear fuel cycle: mining, enrichment, energy and storage. At the time of its establishment I said that South Australians should be given the opportunity to explore the practical, financial and ethical issues raised by a deeper involvement in the nuclear industries.

On 15 February 2016, the royal commission will reach its next milestone with the public release of its tentative findings. In total, the commission has received over 250 submissions and heard from 128 witnesses over 34 sitting days, including 37 international experts. The commissioner has said that these findings will provide an opportunity to update progress and highlight how the community might comment during a five-week feedback period. I encourage every South Australian who has not yet had their say on these issues to consider the evidence presented in the tentative findings and engage in this important debate.

A series of public meetings will be held over one week starting on 15 February in Adelaide, then moving to Port Pirie, Port Augusta, Whyalla, Port Lincoln, Mount Gambier, Ceduna, Renmark and Aboriginal communities in the Far North and West Coast. This is a further step to ensure the community has access to key facts and findings to make an informed judgement and an opportunity to engage with the commission about the evidence they have gathered.

On 6 May this year, the commission will provide its final report. At that time, the government will decide on the next steps and embark on the next stage of the conversation with the South Australian community. The evidence gathered by the royal commission will enable the South Australian community to discuss and deliberate on the risks and opportunities of further participation in all aspects of the nuclear fuel cycle. I envisage this engagement process taking place between May and August this year.

Once we have the findings, I would anticipate some engagement with the commonwealth government about the final report. This will be followed by a period of decision-making, where the government will need to assess the evidence gathered by the commission and the feedback from the community before outlining its full response to the royal commission. I believe that ensuring any future steps can be taken safely is a key threshold question to be satisfied by government, community and industry in our deliberations. I expect to provide a full response to the royal commission to the parliament before the end of sitting this year.

The government awaits the commission's recommendations, and I encourage all South Australians to engage with the commission over the next couple of months and then with the government throughout the course of the year as we consider the most appropriate response to the recommendations that come from the commission.

CHEMOTHERAPY TREATMENT ERROR

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (15:14): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.J. SNELLING: Over a period of six months, from 2014 to 2015, five patients at the Royal Adelaide Hospital and five patients at the Flinders Medical Centre were given an incorrect dosage of the chemotherapy drug cytarabine, receiving one dose a day instead of two during their treatment. As a result of this, in August last year, I commissioned an independent panel of experts, led by Professor Villis Marshall, Chair of the Australian Commission on Safety and Quality in Health Care, to review the events and decisions that led to the underdosing.

Following an extensive review, the panel found that the underdosing was caused by a series of significant clinical governance failures at the Royal Adelaide Hospital haematology unit. Among them was the failure to follow routine clinical processes and procedures, and not advising patients that the chemotherapy protocol was a non-standard protocol that required approval from the relevant committee and informed patient consent. In addition, the panel found that certain clinical staff did not comply with SA Health incident management and open disclosure policies, including not conducting timely and appropriate open disclosure with patients.

The panel made four recommendations, all of which have been accepted by SA Health. Following this review's recommendations, I can now advise the house that eight clinicians have been referred to the Australian Health Practitioner Regulation Agency. AHPRA is responsible for investigating concerns about health practitioners' conduct and practice on behalf of national boards, including the Medical Board of Australia.

I am advised that AHPRA is currently assessing this referral and the clinicians' conduct for investigation, and SA Health will make all relevant material available to that investigation. Following any investigation, AHPRA will report the outcomes to the Medical Board of Australia. As in any investigation of this type, if adverse conduct is discovered, the Medical Board of Australia will consider what action is appropriate. In the case of adverse conduct, a range of penalties are available to the board, including imposing conditions on a clinician's registration to limit their practice, or taking action that could result in suspension or loss of registration.

Taking into account the findings of the Marshall review, SA Health is also conducting a further internal investigation into the issue. This investigation is focusing on all relevant material and documents to provide a comprehensive insight into this complex and detailed case. Again, as in any similar investigation, should adverse conduct be discovered as part of this investigation, a range of actions, including disciplinary measures, would be available to the chief executive.

Last week, I met with Mr Andrew Knox, one of the affected patients, who expressed justifiable concern about a lack of support from our health services following the dosage error. I share Mr Knox's anger. I can advise the house that each of the affected patients has now been offered a care coordinator to act as one point of contact to ensure their needs are being met, including health, emotional, social or practical support. I can also confirm that their clinical specialists will continue to provide clinical care and treatment. Patients will also be provided with regular updates on progress made against the recommendations of the expert panel.

As Professor Marshall's review stated, this has been a serious failure in clinical governance. Patients need to feel safe when they are being treated in our health system, and I am angry and frustrated by the fact that systems put in place to protect patients have not been followed. The referral of clinicians to AHPRA is a significant and serious outcome, and this investigation must be allowed to run its course.

While in principle I support a parliamentary inquiry into this matter, given its gravity, I ask members in the other place to defer such an inquiry, in particular, until AHPRA has concluded its investigation. It is important that ongoing investigations, including any disciplinary proceedings, are not compromised.

Ms Chapman: Where is Professor Marshall's report?

The Hon. J.J. Snelling: It's on the website.

The Hon. P. Caica interjecting:

The SPEAKER: The member for Colton is the first person called to order for the year—

Members interjecting:

The SPEAKER: —provoked though he was.

Question Time

GOODS AND SERVICES TAX

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:22): My question is to the Premier. Is the Premier moving away from his very clear call for an increase to the GST of 50 per cent, as outlined in his press release dated Thursday 26 November 2015?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (15:22): No, I am using the same explanation I used in answer to a question that the leader asked on 1 December 2015, where he said:

My question is to the Premier. What economic modelling has the Premier undertaken on the employment impact of his proposal to increase the goods and services tax by 50 per cent?

My answer was, 'It is not my proposal to increase the goods and services tax to 15 per cent,' and then I went through the history of it. Just to remind those opposite, because I have been saying the same thing—

Mr Marshall interjecting:

The Hon. J.W. WEATHERILL: You get to listen to the answer.

Mr Marshall interjecting:

The Hon. J.W. WEATHERILL: I am proud of the position that I have taken in relation to the state, because I have spoken honestly to the people of South Australia and I have spoken honestly to the people of Australia about the challenges that we face. Just to remind those opposite of what I said on 1 December and what I have been saying consistently ever since, although it has been reported in many and various ways—

Members interjecting:

The Hon. J.W. WEATHERILL: Let's just remind you of the history of this matter. We have the \$80 billion cut to health and education that has been put in by the federal government. We then have the response by Premier Baird, which was to suggest a 15 per cent GST. I said it was worthy of consideration, because it was a conservative leader saying what this conservative leader was not prepared to say out loud, which is that we have a revenue problem in this country, and the basic health and education services are not being funded by the resources that we are collecting. So, I said he should be listened to, and that we should be debating this topic.

What became apparent is that, in the weeks that ensued, there were two propositions that were emerging. One proposition is that a 15 per cent GST should be spent on tax mix changes—that is, namely to actually move from direct to indirect taxation. That was the conservative argument.

The other proposition was our proposition, which is that any extra revenue should be applied to health and education. My intervention—

Members interjecting:

The Hon. J.W. WEATHERILL: —and the media release that seems to fascinate those opposite so much, was to say, if that is the case—if the commonwealth is so determined to pursue tax reform and a tax reform mix—let them argue for an increase in the 15 per cent GST and we will get a share of income tax which we can apply to the health and education priorities of the nation. Now, of course, we see the Prime Minister of this country saying, 'I've lost confidence in the tax mix argument; I don't want to pursue an increased GST. And by the way, as a piece of advice to the state governments, why don't you increase payroll tax and land tax?'

Members interjecting:

The Hon. J.W. WEATHERILL: Mr Speaker, how does the opposition leader feel when the only idea he has ever had has just been kicked to death by the Prime Minister? The only idea he has ever had has been kicked to death by the Prime Minister—his own party!

The SPEAKER: Before the leader asks the next question, I call to order the deputy leader, the members for Chaffey, Morialta, Hartley, Finnis, Mitchell, Flinders, Kavel, Mount Gambier and the leader, and, to balance the ledger, the Treasurer.

GOODS AND SERVICES TAX

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:27): My question is, in fact, to the Treasurer. Does the Treasurer agree with his federal colleague, Nick Champion, that the GST is a regressive taxation instrument that goes against Labor values, and that everybody in the Labor Party should oppose it?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:27): The member for Wakefield is entitled to his opinion, and—

Members interjecting:

Mr Marshall: That wasn't the question; what's your view?

The Hon. A. KOUTSANTONIS: My view, Mr Speaker, is I agree entirely with the tactics of the Premier of South Australia—

Members interjecting:

The SPEAKER: I call to order the member for Unley and the member for Morphett, and I warn for the first time the member for Kavel.

GOODS AND SERVICES TAX

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:28): My question is again to the Treasurer. Does the Treasurer agree with former prime minister Paul Keating that any increase to the GST is 'fiscal folly'?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:28): I think you will find that the author of the GST in this nation's consciousness is former prime minister Paul Keating, with option C, and in the most recent article he published he actually advocated for an increase in the GST to 12.5 per cent. Perhaps the Leader of the Opposition, in his question time tactics, should read the entire article rather than just stopping up to the part that he likes, and complete reading the entire article.

Members interjecting:

The Hon. A. KOUTSANTONIS: Prime minister Keating offers his wisdom. We often seek his guidance on many issues, but in that very article that the Leader of the Opposition is quoting, the former prime minister himself advocates an increase to 12.5 per cent. So, quite frankly, perhaps the Leader of the Opposition should read the article in its entirety first.

The SPEAKER: I call to order the members for Elder, Stuart and Hammond, and I warn the member for Morialta. Leader.

GOODS AND SERVICES TAX

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:29): Thank you very much, sir. Can the Premier inform the house what state taxes he plans to increase now that the increase in the GST which he has proposed is off the table?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (15:29): Well, I do not accept the premise of the question, and we will not be taking the advice of the Prime Minister to increase state taxes. As kindly as that advice was tendered in the very charming tones in which the Prime Minister intoned them, we will not be accepting that advice. We will be making the responsibility for the health and education cuts the responsibility of those who applied the cuts, namely, the federal government.

An honourable member interjecting:

The Hon. J.W. WEATHERILL: Well, interestingly, I noticed that the Leader of the Opposition, when he was asked about these health and education cuts in the Hockey budget, said on 2 February last year, 'We didn't support their cuts to health and education.' So, he was with us opposing the cuts, apparently. And this year on 8 February when asked about the cuts he said, 'The money that's coming from the federal government is increasing each and every year, so I'm not quite sure why Jay Weatherill is allowed to get away with this line in the media that there is \$80 billion dollars in cuts.'

This is the difficulty, Mr Speaker. On this side of the house we are standing up for South Australia against these federal cuts, and we are advancing constructive ideas on the national agenda to solve them, and those opposite simply slip and slide depending on where the political opportunity presents itself. They were with Nick Xenophon the other day saying that some of these ideas were lazy. They were, up until a few moments ago—

Mr GARDNER: Point of order, Mr Speaker: standing order 98.

The SPEAKER: Yes, I would be inclined to uphold that, but before the Premier did engage in debate, I warn the deputy leader for the first and the second time, the member for Morphett is warned, the leader is warned and the member for Hartley is warned. Premier. Leader.

HEALTH BUDGET

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:31): Thank you very much, Mr Speaker. My question is, again, to the Premier. Does the Premier stand by his comments that the closure of hospitals is, and I quote, 'Absolutely still an option without a 50 per cent increase to the GST?'

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (15:31): Well, that's not what I said, of course.

Mr Marshall: You absolutely said that!

The SPEAKER: The leader is warned. The Premier has not violated the standing orders in his answer thus far and does not deserve to be shouted over. Premier.

The Hon. J.W. WEATHERILL: What I did say, Mr Speaker, is that, unless these cuts are reversed, the prospect of closing hospitals is real. This is exactly what we said when the Hockey budget was first handed down. You will recall at that time that we met half of the hole that was created through the first Hockey budget through reversing the remissions on the ESL, which freed up some resources that we were able to apply to our health system.

Over howls of criticism from those opposite we were open and transparent in that. We sought to raise at least half of the challenge through additional revenue measures. The other half we have had to absorb in great pain, but if you think this is difficult, if you think absorbing the cuts that have been already applied through the budget cuts from the Hockey budget are difficult, they ramp up exponentially over the coming years, and in fact they grow by increments of \$100 million in a few years' time.

They are simply incapable of being sustained within any state budget and, if you do not believe us, ask the Premier who runs probably one of the strongest state budgets anywhere in the nation, Premier Baird. He is saying precisely the same point as us. So, instead of actually criticising us, join with us in common purpose against those who are imposing the cuts on your state. Join with us. Add your voice to us.

I was prepared to challenge my party in our state's interests. Why don't you do the same? Why don't those opposite do the same thing and stand up for their state first and add their voice against the Turnbull government and its cuts?

Mr GARDNER: Point of order, sir: debate again.

The SPEAKER: I uphold the point of order. And before the Premier commenced debate there were offences against the standing orders by the member for Chaffey who is warned, the member for Mitchell who is warned and the member for Hartley who is warned for the second and final time.

HEALTH BUDGET

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:34): As a supplementary to the Premier, can the Premier outline to the house which hospitals the government is currently considering closing?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (15:34): Mr Speaker, the member, obviously, subtly misrepresents my answer in his question. Of course, our first objective is to hold this federal government to account for the cut. That is why, tomorrow, we will be convening a further forum of those stakeholders who have been adversely affected by the cuts. Our hospital workers, our teachers, their representatives, their professional associations and national bodies will be convening in Adelaide for us to recommence this campaign.

We have tried the constructive way with this federal government. We have tried to offer constructive solutions. We haven't just gone to them with a problem that is their cut. We have accepted that they have massive revenue challenges. We have tried to open up possible lines of inquiry for a solution. They don't want that. For some reason they are incapable of entering that dialogue with us, so we must now increase the pressure on them so that they pay a political price for this cut, because we are simply not going to bear it. We are not going to bear it here without asking and shifting the responsibility for this cut to where it precisely belongs.

What taking responsibility means is speaking honestly to the people of this state and the nation about what the challenges are, not misleading them, not slipping and sliding depending on what political fashion or mood takes you, wherever those opposite see the political opportunity. If those opposite had any degree of candour and honesty with the people of South Australia they would accept this basic fact. If they were sitting over here they would be advancing—

Mr PISONI: Point of order, sir.

The SPEAKER: Points of order are better made by members with clean hands.

Mr PISONI: By continually referring to 'those opposite' the Premier is engaging in debate.

The SPEAKER: No; in fact, referring to members opposite is an old, old parliamentary custom. I do not uphold the point of order. Premier.

The Hon. J.W. WEATHERILL: Can I say, Mr Speaker, an honest way of approaching this debate would be that anyone sitting on this side of the chamber would be engaging in the sorts of changes that we are promoting through Transforming Health to seek efficiencies, to seek the very efficiencies that the Leader of the Opposition says that we should be making in the system. Anyone sitting on this side of the chamber would be exploring, in partnership with clinicians, improvements in quality which gain efficiencies in the system. If those opposite were honest with themselves, if they were sitting here they would be doing the same thing that we are doing—they would be. There is absolutely no doubt about that. If you, for a moment, put aside your political caps and asked yourself, if you were sitting here you would be seeking the same—

Members interjecting:

The Hon. J.W. WEATHERILL: You would be. This is why nobody actually believes them, Mr Speaker, because they are not prepared to speak honestly and with candour to the people of South Australia.

Mr VAN HOLST PELLEKAAN: Point of order: the Premier is certainly debating the substance of the question now.

The SPEAKER: Well, he is, but he has been provoked by a wall of sound from members on my left—is that okay, member for Unley? So, I warn for the second and final time the leader, the member for Kavel and the member for Morialta. I warn for the first time the members for Unley, Hammond and Finniss, and I call to order the member for Davenport. Is the Premier finished?

Mr Pengilly: I reckon he is.

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

INDUSTRY DEVELOPMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:39): My question is to the Minister for State Development. How much of the \$15 million industry attraction fund has been approved and/or paid to successful applicants since being announced on 18 June 2015?

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Small Business, Minister for Defence Industries, Minister for Veterans' Affairs) (15:39): If the member had read the budget papers, she would know that the \$15 million industry investment attraction fund was split over two financial years: \$5 million in this financial year and \$10 million in the next financial year, but her question reflects that she does not understand the question because, clearly, funds for the next financial year have not yet been expended because the next financial year is not here yet. It is actually the current financial year.

I draw the member's attention to Friday because, on Friday, the government will be making announcements about the industry investment attraction fund and all will be explained to the member. At that time, the government will be in a position to talk to you in some detail about progress so far. I invite the deputy leader to repeat the question in the next week of sitting, because I look forward to answering it.

Ms CHAPMAN: Supplementary.

Mr Whetstone interjecting:

The SPEAKER: The member for Chaffey is warned for the second and final time. If the deputy leader utters another word or sound out of order, she will, alas, depart, under the sessional order. Deputy leader.

INDUSTRY DEVELOPMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:40): Given the minister's response to wait until Friday before we get an answer as to how much has been spent in respect of this fund, can he explain to the parliament why the promotion advisory board, in respect of this fund, seven months later, still doesn't even have a board appointed, other than the chairman, Mr Rob Chapman?

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Small Business, Minister for Defence Industries, Minister for Veterans' Affairs) (15:41): I thank the deputy leader for her question. The government has no idea what a promotion—

Members interjecting:

The Hon. M.L.J. HAMILTON-SMITH: In fact, I would say this: I don't think anyone knows—

Members interjecting:

The Hon. M.L.J. HAMILTON-SMITH: Here they go. Listen—what a promotion advisory board is, because such a thing does not exist. Again, if the deputy leader would like to research her questions competently, she can re-put the question. There is no such thing as a promotion advisory

board. No-one knows what you are talking about. Could you please explain your question more carefully?

INDUSTRY DEVELOPMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:42): A supplementary to the Treasurer, who is also the Minister for State Development: do you know what the investment and promotion advisory board is and can you explain to the parliament why it doesn't have any members other than the chairman, Mr Rob Chapman, seven months after the government's announcement about this initiative?

The SPEAKER: Does the Treasurer know and can the Treasurer explain?

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Small Business, Minister for Defence Industries, Minister for Veterans' Affairs) (15:42): Thank you, Mr Speaker, and, again, I thank the deputy leader for her question. The entity to which she refers does not exist. I think what she is trying to say is that the Investment Attraction Agency has a board, which does not go by the name she has just described it as. Mr Speaker—

Ms Chapman interjecting:

The SPEAKER: The deputy leader is about to depart.

The Hon. M.L.J. HAMILTON-SMITH: —good government depends on both sides of the house understanding the issues, reading their briefs and being able to ask and answer competent questions. I would appeal to the deputy leader to do her homework. If she wants a brief on the Investment Attraction Agency, I am happy to provide it, but get the terminology right.

To get to the point, I will say that, if she is referring to the board of the Investment Attraction Agency, chaired by Rob Chapman (and I think she is but if she could just check her homework a little better we will clarify that), I can tell her that the government will have more to say about that in coming weeks. You know what: we are going to put together a very good board for the Investment Attraction Agency and I know that the opposition is dying to know more about it so all will be revealed when the government is ready.

COMPULSORY THIRD-PARTY INSURANCE

Mr ODENWALDER (Little Para) (15:44): My question is to the Treasurer. Can the Treasurer provide an update on the implementation of the private sector provision of compulsory third-party insurance and the implications of not having an independent statutory CTP regulator?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:44): I'm pleased to advise the house that the compulsory third-party insurance reform project is progressing well in readiness for the transition on 1 July 2016—a brave new world.

Under the new model, more than one million South Australian motorists will be allocated to one of the four private CTP providers—QBE, AAMI, SGIC and Allianz. This insurance certificate (or MR5) will display the name of each motorist's nominated insurer. It is important to note that for the first three years under the fixed-price model there is no advantage to being with any particular insurer. The price of insurance is the same and the compensation you receive, should you be injured, is the same regardless of your insurer.

In year four, when the market is completely deregulated, motorists will be free to choose a provider of their choice and shop around for the best price. At this point we expect even more competition as other insurers, such as the RAA, consider entering the market. At the moment the four nominated insurers are working collaboratively with the government to provide a seamless transition for South Australian motorists to ensure business readiness from 1 July 2016.

Importantly, I can say that motorists should expect no changes to the way that they pay for their CTP insurance or the way that they lodge a claim for CTP insurance in the unfortunate event that they suffer an injury. DPTI will continue to issue CTP insurance renewal notices as part of vehicle registration processes. The current payment methods will remain, including the EzyReg website and the app, and direct debit. All motorists have to do is to receive their registration notice in the mail and

pay how they normally would. To make a claim motorists can still call the same number as they do now and they will be redirected to their nominated insurer.

It is vitally important that as part of the CTP reform project we have an independent compulsory third-party regulator. The office of the CTP insurance regulator will assume the responsibility to set and control CTP premiums. The independent CTP regulator will be responsible for ensuring rules and guidelines are in place requiring private insurers to act appropriately and treat injured motorists in accordance with the state's CTP legislative framework.

Although the necessary protections can still be achieved within the existing legislative framework of the Motor Vehicles Act 1959, this is not the preferred option as it does not bring the protections and independence of a CTP insurance regulator holding a statutory independent office. Instead, his or her powers will be enforced under legally binding agreements already entered into by the four approved insurers rather than directly under statute.

The executive recruitment firm Korn Ferry has been engaged to conduct a national search and assist with the recruitment of the CTP insurance regulator. The position was advertised on 22 January 2016 and closed on 5 February 2016. I hope the opposition supports the government's push to have an independent statutory officer as our CTP regulator and supports the legislation in the upper house.

HILLS LIMITED

Mr TARZIA (Hartley) (15:47): My question is to the Minister for State Development. In relation to the government's three-year jointly funded \$5 million partnership with Hills Limited, can the minister confirm to the house that Hills has pulled out of the partnership?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:48): I will get a detailed response for the member.

HILLS LIMITED

Mr TARZIA (Hartley) (15:48): I have a supplementary question: how many job losses will result as a consequence of Hills pulling out of the partnership?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:48): That presupposes that they have. I will go back and get a detailed briefing for the member and get a response back to the house.

Mr TARZIA: With the leave of the house, I might point out a credible source in *The Advertiser* on 6 February.

The SPEAKER: No, the member for Hartley will not do so, and will be seated forthwith.

PINERY BUSHFIRES

Mr GEE (Napier) (15:48): My question is to the Minister for Health. What role did our health system play in supporting communities affected by last year's Pinery bushfire?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (15:48): We were all devastated by the Pinery bushfire which ripped through 85,000 hectares in our state's Mid North last November. During the fire many of our country hospitals and health services were activated as emergency centres and community shelters. More than 70 patients were treated through the Country Health SA Local Health Network, spread between our hospitals at Gawler, Kapunda, Eudunda, Balaklava and Angaston. These patients were all looked after by our dedicated Country Health staff and volunteers who worked tirelessly throughout the fire to ensure the wellbeing of those in their care. Many did so despite their own personal circumstances of having properties under threat and uncertainty surrounding the safety of their families and loved ones.

Before Christmas, I visited some of the affected hospitals and heard that the attitude of our doctors, nurses, caterers and volunteers was one of 'all hands on deck', with some staff even

travelling back from annual leave to help. As I am sure members will appreciate, our response plans for these types of emergencies are ever evolving, as we learn from each unique event. I was pleased to hear from staff that, following on from the Sampson Flat bushfire which devastated our hills last year, a new plan was created, which saw a faster distribution of emergency supplies from SA Health and a more fluid passage of patients transported by the SA Ambulance Service.

The main concerns raised by staff on the ground during the Pinery fire was around communication between hospitals and commonwealth-run aged-care facilities. I have taken on board these concerns, and Country Health is working to ensure these issues are resolved not only through the Mid North but across our Country Health network. I would like to thank all of our hardworking Country Health and SA ambulance staff and volunteers for their commitment to their communities during this difficult time. The staff at the Lyell McEwin and Royal Adelaide hospitals, in particular the RAH Burns Unit, are also to be commended for their quick responses in treating the critical patients in their care.

May I express my condolences to the family of Janet Hughes and Allan Tiller, who died during the fires. I would also like to pass on my best wishes to all those who are still nursing injuries and illness sustained during the fires. While we can only hope that these events are few and far between, it is assuring to know that, in the event of such emergencies as we saw in November, our health services are ready to support their local communities.

APY LANDS, STREET NAMING

Mr HUGHES (Giles) (15:51): My question is to the Minister for Transport and Infrastructure. Can the minister inform the house about a new addressing initiative in the APY lands?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:51): I thank the member for Giles for his question. Members will be aware that the APY lands cover an area in excess of 100,000 square kilometres and are home to several Aboriginal communities, with approximately 2,500 residents. Members may not be aware, however, that for some time there has been a lack of a nationally recognised addressing system operating in the APY lands.

With no recognised addressing system, many Aboriginal people living on the lands were unable to provide a valid address when interacting with government and non-government agencies, as well as private sector entities. This is something that most of us would take for granted: being able to provide a valid address so that we can access goods and services, and it has been a barrier for many Aboriginal people living on the lands. Not having a nationally recognised address system means simple things are made vastly more difficult, such as accessing banking services or government services, tasks like registering a car or obtaining a drivers' licence, or accessing welfare services from agencies. These are the sorts of things which are stymied when a recognised address cannot be given.

That is why I am pleased to inform the house that a cross-government initiative means residents of the APY lands are now getting better access to basic services with the rollout of a new addressing system. The APY lands addressing project was jointly developed and funded by the Department of Planning, Transport and Infrastructure; Housing SA; SA Water; and the Department of State Development. For over 12 months, the project team has worked with Anangu to create road names based on the creeks, hills and landmarks unique to the communities on the lands. They also used language names for camel, emu, snake and other animals, creating 143 road names in total across 13 communities.

This project is about making small changes, but resulting in big differences for many people on the lands. Having a valid address means people living on the lands will now be able to do what many of us take for granted: those mundane but very necessary parts of day-to-day life, like getting a phone connection or accessing online banking services, and dealing with government agencies. Beyond that, the new addresses will enable government and other agencies to deliver better services into the communities, as well as assist emergency services.

I have also been advised that the project in South Australia has progressed well ahead of other Australian jurisdictions faced with similar challenges in similar communities. I am glad that the creative thinking of both the local community as well as the government participants has achieved

such a tremendous outcome. I would like to congratulate all the hardworking staff involved in bringing this project to fruition, in particular: the Surveyor-General, Michael Burdett; the project leader, Sean Frost; and mapping officers, Tim Rogers and Phil Leonard.

APY LANDS, STREET NAMING

Dr McFETRIDGE (Morphett) (15:54): Supplementary: can the minister tell the house: will the new named roads be signposted and will they have the normal rural addressing numbers on them so that emergency services can locate these houses?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:54): I thank the member for Morphett for his question. I know that he's had a longstanding, deeply held interest in matters affecting the lands. I anticipate that that is the case, but I'll seek some more detailed information for the member and bring that back to the parliament in due course.

INDUSTRY DEVELOPMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:55): My question is to the Minister for Investment and Trade. If the investment and promotions advisory board, which has a chair, Mr Rob Chapman, doesn't exist, could he please explain why it's displayed as such on the Department of State Development functional chart, dated 12 January 2016 underneath his name?

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Small Business, Minister for Defence Industries, Minister for Veterans' Affairs) (15:55): I'd be delighted. It's clearly an error, because no such entity exists. What I strongly—

Members interjecting:

The Hon. M.L.J. HAMILTON-SMITH: Here they go. If only they could spend some time on policy development instead of—

Mr Marshall: But we ask the questions.

The Hon. M.L.J. HAMILTON-SMITH: What I'd suggest to the deputy leader—

The Hon. T.R. Kenyon interjecting:

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

The Hon. M.L.J. HAMILTON-SMITH: What I would suggest to the deputy leader is that, whatever it is she's reading, she checks to see if whatever it is is correct, because I can tell her that no such entity exists. It's a very good idea, before getting a little flowchart, to ask some questions. I just ask members, I'm reminded—

Members interjecting:

The Hon. M.L.J. HAMILTON-SMITH: No; I'm reminded of the wasted kidney. Does anyone remember the wasted kidney? This is when the deputy leader came into the house and said somebody in Mount Gambier was on the verge of death because they were waiting for a kidney transplant and there'd been some terrible failure of the health system, and as a result this person died. Well, it turned out the information was completely, 100 per cent, wrong, and the minister for health at the time came in and clarified the facts.

The problem is that the deputy leader has some form. If she'd like to go back to the source and verify whether or not the little bit of paper she has is correct, I think she'll find that it's either a misprint or it's been put there in error. So, if you'd like to table it, have a look at it, check out the facts, and come back and tell us your solution.

INDUSTRY DEVELOPMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:57): Supplementary, to the Treasurer: when my office telephoned your office last week to inquire as to the names of the persons on the investment and promotions advisory board and was advised that only the chairman, Mr Rob Chapman, had been appointed and the others are yet to be appointed, were you aware that this was an error on the website?

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Small Business, Minister for Defence Industries, Minister for Veterans' Affairs) (15:58): I'll answer that, Mr Speaker, because I'm the minister responsible. No matter how hard she tries the deputy leader has just demonstrated to her colleagues opposite that she doesn't check her facts. I'm the minister for the Investment Attraction Agency; perhaps she'd like to call me

I'd be delighted to provide a briefing. If she would like to do that, do her research, do her homework before coming in here, she might ask accurate questions and get the right replies. So, if she would like to show me her little bit of paper, I'd be delighted to sort it out for her. In the meantime, the government will have more to say about the Investment Attraction Agency board very shortly.

INDUSTRY DEVELOPMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:59): Further supplementary: can the Treasurer explain why the Minister for Investment and Trade has failed to appoint any board members in seven months?

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Small Business, Minister for Defence Industries, Minister for Veterans' Affairs) (15:59): You know, she just doesn't give up. It's like *Monty Python and the Holy Grail*. The knight's got the sword in its mouth, the arms and legs are missing, but we will swing it around in case we poke something. I know the deputy leader's form extremely well. All I would say to her is, instead of trying to be a smartypants in here, I suggest she asks for a briefing about the Investment Attraction Agency—

Ms Sanderson: It doesn't exist.

The Hon. M.L.J. HAMILTON-SMITH: —and all will be revealed. If the deputy leader genuinely wants to know, we have been—

Members interjecting:

The Hon. M.L.J. HAMILTON-SMITH: —we have been in no rush whatsoever, as is patently clear, to appoint a complete board to the agency until we as a government are good and ready, and you will find out more about that in due course. I really encourage the deputy leader, if she really wants information, to just call, ask for a briefing, and it will be given—no need to try to show how clever you are and then make a complete and utter mess of it.

The SPEAKER: I call the member for Adelaide to order for triggering that avalanche of disorder. Member for Davenport.

RAIL MAINTENANCE

Mr DULUK (Davenport) (16:00): My question is to the Minister for Transport and Infrastructure. Can the minister please outline why essential maintenance work that closed the Belair line over the Christmas holiday period has failed to address the ongoing issues with the Glenalta and Blackwood boom gates, which have already been stuck on several occasions this year?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (16:01): I thank the member for Davenport for his question. I know he has expressed an interest in this area. As part of the most recent state budget, a figure of \$12 million was provided to upgrade some of the signalling infrastructure and equipment across the metropolitan passenger rail network line. There is a system underway of progressively undertaking those works.

My understanding, although I am happy to come back to the house with some further detail, is that that program is being based upon an analysis of the priority of undertaking those works, and doing those works at those locations where they are most needed, perhaps as a direct reflection on the condition of some of the equipment which needs to be replaced under the program. So, I will take the timing of those works, if they are part of the program, on notice and come back to the member.

NATIONAL DISABILITY INSURANCE SCHEME

Dr McFETRIDGE (Morphett) (16:02): My question is to the Minister for Disabilities, and can I congratulate her on her long overdue arrival on the front bench. Now that the state government has

signed a new, permanent agreement with the federal government for the NDIS, can the minister inform the house what the cost of the funding shortfall to South Australia is, due to former ministers' underestimations of the number of children eligible for the NDIS?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (16:02): There are still a number of issues that are evolving in the disability reform space, and one of the issues is the children who have commenced in February integrating into the system after the first cohort of the trial up to the age of 14. We are still assessing some of those lists, but some of the outstanding definitional issues and funding issues, as we know from the federal minister, are still being resolved.

The SPEAKER: Supplementary, member for Morphett.

NATIONAL DISABILITY INSURANCE SCHEME

Dr McFETRIDGE (Morphett) (16:03): Can the minister then tell the house how many South Australian children with autism will be eligible to enter the NDIS under the new agreement?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (16:03): I will get back to the house after I have been advised of that.

AGRICULTURE SECTOR

Ms COOK (Fisher) (16:03): My question is to the Minister for Agriculture, Food and Fisheries. Minister, what is the state government doing to increase South Australian agricultural production?

Mr Goldsworthy: Not much.

The SPEAKER: The member for Kavel is on his final warning. Minister.

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (16:03): Thanks very much, Mr Speaker, and I thank the member for Fisher for the question and acknowledge the good partnership that South Australia's farmers and the South Australian government has in trying to increase the value of our agribusinesses right around the state. It was terrific, just last month, to announce an increase in food and wine from \$17.1 billion to \$18.2 billion over the space of 12 months.

Research and innovation underpin the sustained productivity of South Australia's primary industries, and I would like to inform the house about two significant research programs that are helping to increase South Australia's productivity. The latest results from the state government's soil improvement project New Horizons have confirmed South Australian sandy soils can be greatly improved, resulting in increased grain yields. This is where you add organic matter, clay and nutrients to the soil, allowing the roots of the crops to grow much deeper than they normally would, creating a more productive plant.

We are doing trials at three sites around South Australia. We have Brimpton Lake on the Eyre Peninsula, Karoonda in the Murray Mallee and Cadgee in the South-East. The results for the second round of trials have just come in—

Mr Williams interjecting:

The Hon. L.W.K. BIGNELL: —showing that there has been an increase in grain yield—

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

The Hon. L.W.K. BIGNELL: —at all three sites, with an average of 70 to 200 per cent, and up to an amazing 226 per cent at the Karoonda site. I was down there with the member for Chaffey the season before last and you could actually see a vast improvement in the New Horizons trial over the existing soils.

Up to 40 per cent of South Australia's broadacre farming lands suffer from low fertility, low water-holding capacity and soil compaction. If adopted by our farmers, these breakthrough techniques have the potential to boost South Australia's economy by \$800 million in crop and

livestock pasture production. This means more jobs in our regions for farmhands, business advisers, accountants, bankers, farm consultants and machinery suppliers and significantly increased demand on our transport services. We are going to continue the trials in 2016 to gain greater certainty about the potential benefits and longevity of each of the applied treatments.

The other exciting program in research and development is the work done by the South Australian Research and Development Institute (SARDI) for the benefit of South Australian industries via the Grains Research and Development Corporation, known as GRDC. The South Australian government has signed a \$50 million deal with the GRDC to secure the future of this grain research in South Australia during the next five years: \$25 million from the GRDC and \$25 million in kind from SARDI. Through this deal, South Australia will play a major role in the National Grains Research, Development and Extension Strategy and will lead a number of key national research areas. It will boost funding for research and development into regional agronomy by supporting six new agronomist positions in our state's key grain-growing regions.

Our latest Crop and Pasture Report is in and it puts the final crop estimate for the 2015 grain harvest at 7.2 million tonnes. Once again, that is above the 10-year average, so it is seven years in a row that we have achieved above the 10-year average. You may remember I informed the house last year that we had to take the 10-year average up because of those successful years. Obviously, it was not a great season in all parts of the state. We know that the Upper South-East in particular is doing it hard and we have had other low-rainfall areas throughout the state as well. But, despite the challenging seasons, South Australia's grain sector continues to be a powerhouse industry. It generated more than \$4.6 billion in revenue in 2014-15, with approximately 85 per cent of that exported around the world, bringing more money into our economy here in South Australia.

Mr BELL: Supplementary?

The SPEAKER: Supplementary, member for Mount Gambier.

NATURAL RESOURCES MANAGEMENT LEVY

Mr BELL (Mount Gambier) (16:08): Minister, can you inform the house what a \$6.7 million hike to the NRM levy is going to do to the productivity of our primary producers?

The SPEAKER: I doubt very much whether it is a supplementary.

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (16:08): That is a question for another minister in another place.

AGRICULTURE SECTOR

The SPEAKER: Did the member for Chaffey have a supplementary?

Mr WHETSTONE (Chaffey) (16:08): Yes, I did, sir, to the Minister for Agriculture. With regard to the New Horizons program, when will the data and the costings be released to enhance South Australia's agricultural economic benefit?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (16:08): I thank the member for Chaffey for the question. The people who work on New Horizons go out to the field days constantly. They are out there trying to spread the word and inform farmers. They are showing the core samples of the plants, and you can actually see just how far down the roots go. The data is just in, but we want to share that with as many people in rural South Australia as we possibly can.

All the indications are that it is going to be a huge winner. There have to be bigger trials done in future years over greater areas to make sure that we can prove it up, and, as you know from our visit to Karoonda, there was actually debate amongst the scientists working on it. Some were sort of advocating for more clay, some were saying more organic matter and some were saying go down deeper.

Mr Whetstone: When and how much?

The Hon. L.W.K. BIGNELL: Sorry?

Mr Whetstone: When are you going to release the data and the cost of this? Farmers need to know.

The Hon. L.W.K. BIGNELL: Well, the data has just come in. We plan to announce that and get the data out so that farmers right around the state can see it. I have also been over to the West Coast and seen the site over there, and we know that there is interest from neighbouring farmers. South Australia has a good tradition of leading in research. Being up at Minnipa with many of the members opposite last year, for the centenary, it was great to see all the field trials that are done up there. Farmers do like to go there and see technology and different farming systems proven up in those sorts of trials.

We will share that information as far and wide as we possibly can, because we want to get as many farmers as we can on board. It is a very good system, and there is a lot of science being done around it. If we could get even a tiny bit of that \$800 million improvement for our farmers and get that money into our economy, it would be a terrific thing.

APY LANDS, TAFE CAMPUSES

Mr PISONI (Unley) (16:10): My question is to the minister responsible for skills and training. Can the minister advise the house if she believes that it is acceptable that, in the five years since 2011, just 71 students over seven APY TAFE SA campuses have completed their course?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (16:11): I will look into the question that the member has asked and bring back an answer to the house.

APY LANDS, TAFE CAMPUSES

Mr PISONI (Unley) (16:11): Supplementary, sir: could the minister also advise the house why it cost \$8.9 million for just 71 students to complete their TAFE SA course in the APY lands over the last five years?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (16:11): Again, without presuming to verify in any way the allegations made, I will look into that and bring back an answer.

SCHOOL EMERGENCY PROTOCOLS

Mr GARDNER (Morialta) (16:11): My question is to the Minister for Education and Child Development. Of the 20 schools that received hoax bomb threats last week, how many of those schools did not have SMS communication systems in place in order to keep parents informed about such emergency situations?

The SPEAKER: It sounds like an advertorial. It is not *Today Tonight*: it is parliament. Minister.

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (16:11): Thank you, Mr Speaker. I will find the exact number in order to not risk misleading the house, and bring that back for the member's information and for the house's information. But, I would point out that we are dealing with very different-sized schools, some of which find directly calling parents is more appropriate to their size and their community, and others where parents might not have ready mobile access and may not necessarily have everyone owning a mobile where other forms of communication are also used.

We have, in the department, allowed a degree of autonomy amongst the schools to determine the most appropriate method for communicating on different matters to their parent body. I am aware that one school does have an SMS capability, and that that capability failed when trying to tell all parents simultaneously and the message had to be re-sent in chunks. So, I do not think we can assume that there is a perfect technological answer.

What is important is that every school has an emergency management procedure, and every school followed it. We received praise from the police for the calm manner in which the staff addressed the quite frightening experience of receiving such a nasty threat, and that they enacted

those emergency procedures—the first of which is of course to determine that the children are safe, and subsequently informing the parents.

There is traditionally a view that, when there is a threat like this, we do not inform the media about which school or schools have been targeted, and particularly not during school hours, where you might generate a response from parents—a very understandable one—to visit the site, which might not be appropriate in terms of the security of that site or investigation.

However, what I have asked the department to consider is that, when you have such a large number of schools being contacted more or less simultaneously, if that fact is known to the public, then it increases the chance that your own child might be at a school where that has occurred. That in itself might cause more chaos in the school system by parents contacting their kids' schools to find out if their school is indeed the one or simply going straight to the school to find out.

Given the number of schools involved and that to my knowledge we have not experienced something of that scale before, I have asked the department not only to do what we would always do, which is to have a look at how we responded to the circumstances and whether there are better ways to respond in each individual school, but also whether there is a question of some advantage in giving more details through the media, and we will see what that process of review brings out.

RECREATIONAL FISHING

Mr WHETSTONE (Chaffey) (16:15): My question is to the Minister for Regional Development. Minister, was the media story on 30 January this year the first time that, as the minister, you had seen the state government's proposal to introduce new bag size limits and sea area closures for popular fish species in South Australia?

The SPEAKER: I suspect that the question is out of order.

Mr GARDNER: The question, while it referred to a media story, did not ask for comment on a media story. The question was asking for the timing of when the minister found out and whether that time was contemporaneous with the media story.

The SPEAKER: Alright, well, it is not asking whether the story was true or not, so I will allow it.

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (16:16): Thank you, Mr Speaker. I thank the member for the question. I have responsibility for the survey that we are doing and the consultation that we are doing over bag size limits and other things that we are doing in recreational fishing. The thing is that it goes out for consultation. The consultation started last week. It is going to end at the end of April. The member for Frome and every other South Australian, including the 277,000 people who partake in recreational fishing each year, will all have the opportunity to get involved and to have their say about what might happen.

I must say that there has been some terrific feedback in the initial few days, and I must congratulate Lainie Anderson for an excellent article. She wrote a comment piece in the *Sunday Mail* just giving her views as someone who grew up fishing. She spends a lot of time on the Yorke Peninsula. She talks to a lot of people over there who go fishing, and I think that what she wrote was fairly representative and took a lot of the emotion out of some of the other early comments that have come about.

Mr Knoll interjecting:

The Hon. L.W.K. BIGNELL: And it has been interesting—

Mr Knoll interjecting:

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

The Hon. L.W.K. BIGNELL: —to sort of see the opposition's reaction to this, because we have the minister responsible—

Mr Knoll: Why didn't you ask for the science? Why don't you ask for the scientific basis for why we're doing it in the first place?

The Hon. L.W.K. BIGNELL: I plead for your protection, sir, from this yapping dog over there.

The SPEAKER: Well, no. Since the minister is about to try to make the opposition's attitude to this relevant, no wonder they rise.

The Hon. L.W.K. BIGNELL: What we have had is the shadow spokesperson responsible ring us up and say, 'Can we have a briefing on the science?' We have had the member for Chaffey, who is not responsible for recreational fishing, ringing up all the radio stations saying, 'We don't believe the science.' Well, at least the opposition spokesman responsible for recreational fishing has rung up and asked to see what the science is, and we gave him a full briefing last Friday. We have offered your whole party room a full briefing on it. What I must say is that the Hon. Mr Ridgway in another place is doing the right thing, getting informed of things. Some other people over there just want to get on the media and have their say without being informed.

Mr Knoll: Which is exactly what he did.

The Hon. L.W.K. BIGNELL: The science is all there.

Mr Knoll: He said, 'We want to look at the science before we make a decision.'

The Hon. L.W.K. BIGNELL: I know what he said, but he is not the person responsible from the other side, and what he would be better off doing is actually—

Mr Knoll: Asking for the science.

The Hon. L.W.K. BIGNELL: What he would be better off doing and what would be a more productive use of his time and better for those recreational fishers out there who enjoy recreational fishing is actually—

The SPEAKER: Point of order.

Mr GARDNER: This is actually well outside the bounds of 98.

The SPEAKER: I uphold the point of order.

RECREATIONAL FISHING

Mr WHETSTONE (Chaffey) (16:18): Supplementary: in relation to the draft recreational fishing management plan, can the minister explain why there is only one community consultation meeting in Adelaide, which in fact represents two-thirds of the state's fishing area for recreational fishers?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (16:19): We have these information—

The Hon. T.R. Kenyon interjecting:

The SPEAKER: The member for Newland is warned.

The Hon. L.W.K. BIGNELL: —sessions and listening sessions going on right around the state. So, we have got Mount Gambier, Victor Harbor, Kangaroo Island. We have got one in Adelaide. We have got one in Wallaroo. We have got one in Ceduna. We have got Port Lincoln and Whyalla. We are happy to listen to any suggestions about where there needs to be more public meetings. We are happy to go out there. We have February and March where we will be doing the consultation and having these public meetings, and we are happy to have as many meetings as it takes to get the message out to people and to receive the input from not only recreational fishers but other people who will have a say on this very important matter.

These bag limits first came in in the mid-1970s. Boat limits came in in 1984. We think it is beholden on us, as the government, to work with recreational fishers, who I must say, from the people I speak to right throughout the regions who go out fishing, want to see this sort of conservation. They don't want to see fishing stocks plundered and nothing there for their grandchildren and for future generations. So, we are being a responsible government, working with the community. I must say that the vast majority of feedback that we have had so far, and we only opened up this consultation about eight or nine days ago, has been very positive. I commend the fishing community on that.

Members interjecting:

The Hon. L.W.K. BIGNELL: The environment department is not managing the fisheries. This is fisheries. This is part of PIRSA. I think SARDI and PIRSA are recognised around the world as doing an excellent job in managing what is a finite resource. We work with the recreational sector, we work with all the commercial sectors in fishing here, and we do have a reputation around the world for getting it right. It is a very important resource and I look forward to the consultation that will continue over the next few months. No-one can complain that this is some session that we are opening up and closing very quickly, people will have until the end of April.

So, I encourage each and every one of you and every other South Australian, particularly those 277,000 recreational fishers, to get across the website, and download the app. There is an amazing app that is available through PIRSA that will tell you the rules about every fish species that you want to catch in South Australia. It is terrific. It also gives you all the maps. It gives you the latest news from PIRSA, so that you can be totally informed about what you need to do to get involved in the consultation.

The other thing you can do on there is that you can report illegal activity, and we encourage people to do that. If people are doing the wrong thing, let us know. You can do it on the app or you can ring Fishwatch and you can do it either anonymously or you can actually give your name. It is up to people to make sure that we look after the fish resources for the future.

The SPEAKER: The night watchman sees us through to stumps. The deputy leader.

*Grievance Debate***STATE FINANCES**

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:22): Today, we see the real Jay Weatherill, the real Premier of this state.

The SPEAKER: The deputy leader will be seated. The deputy leader will not refer to members of the house by their Christian name and surname. She knows that is the rule. She knows why it is the rule. If the deputy leader does it again I will name her. Deputy leader.

Ms CHAPMAN: The Premier of South Australia has made a promise to the people of South Australia that he will either increase taxes or close hospitals if he does not get his way with respect to the money that he is demanding from Canberra. He has used, consistently, the claim that unless he gets what he wants in relation to GST, which is now off the table, that we will have to pay the price. This is the threat to South Australians. No other state has closed hospitals in the wake of the allegation that state Treasury funds are so depleted that it is necessary to close hospitals—no other state in Australia.

This government, under this Premier, has made it absolutely clear to South Australians that if he does not get what he wants then he will nominate hospitals to be closed, moreover, he will find some other nasty state tax to increase. If you do not believe he will do it, just have a look at the form over the last 18 months: budget 2014, after the election he comes in and says, 'We have to have a car park tax.' If it was not for the vigilant work of people in this parliament (mostly on our side of the house), with the support of other people in the community, we would have that imposed on us today. The 2014 election comes along and, guess what: we have the increased ESL. That is an extra tax that has been placed on South Australians—a property tax, a backdoor land tax that has been imposed across the board in South Australia.

To make matters worse, we also had a backyard death tax, backyard death duties. As at 1 January, it is more expensive not just to live in South Australia, not just to pay the costs of the expenses of living in this state (the costs of operating business and the costs of working), but it is also the most expensive state in the country to die.

I can only say to South Australians that if you want probate on your will and for your will to receive legal recognition to ensure the distribution of an estate, there has now been a massive increase in probate fees in this state. It is \$300 to have a probated will in Victoria. For an estate over \$1 million in this state, which would involve a home, cars, a bit of furniture, or if someone owns some

property or a farm, they get slugged \$3,000 as of last month. You cannot even die in this state without being taxed. It is an absolute disgrace.

We know that the government are insincere in relation to their claim that they are here fighting for South Australians, and they are totally duplicitous in making the claim that they need to increase taxes to meet a shortfall of revenue. The Treasurer has stood here in the parliament and issued the budget this year, then gone through the Mid-Year Budget Review and claimed to South Australians that he has got a \$2.7 billion surplus over the forward estimates.

He can stand here in the parliament and tell us that after the budget, and on review, there are going to be billions of dollars of extra money raining in during the forward estimates, yet the Premier will stand here, and go on radio, and threaten South Australians with, 'You do what I want, you do what I demand, you give me what I want or we close your hospitals.' It is absolutely unconscionable what the Premier is doing when, two seats down from him, his own Treasurer is saying, 'I promise South Australians in my budget there will be a \$2.7 billion surplus.' Do we believe Jay, or do we believe Tom?

The DEPUTY SPEAKER: Member for Bragg, the Speaker called you to order earlier for referring to people by their names in the chamber. I can only presume you did that deliberately and ask you not to do it again.

Ms CHAPMAN: Do you believe the Premier, or do you believe the Treasurer?

The DEPUTY SPEAKER: Thank you.

Ms CHAPMAN: I do not believe either of them. I do not think for one minute that we can have surpluses according to what Mr Koutsantonis, as the Treasurer, has stated.

The DEPUTY SPEAKER: The member will sit down. Her time has nearly expired, and she has done it again, deliberately, flouting the ruling of the Speaker, which I will bring to his attention, and I dare say he will not be pleased. The member for Colton.

STORMWATER MANAGEMENT

The Hon. P. CAICA (Colton) (16:28): The January rainfall is around 20 millimetres, and halfway through January we had had no rain whatsoever. In fact, for the several months preceding that first rain, we had had little rain, to the extent that mothers and fathers, when it was first raining in January, were holding their sons and daughters of four months saying, 'This is rain.' None of them had seen it and we had not had much at all.

In January, Adelaide received just over 50 millimetres of rain. I think it fell in about two or three events during that period. The average rainfall in February in Adelaide is 12.8 millimetres and, to date, in a single event in February (during that storm earlier) we have received 18 millimetres. Going on our year-to-date figures, our city has received 70 millimetres, well in excess of the average. This entire rainfall occurred over three or four rain events.

You might be asking, Deputy Speaker, where I am going on this. Let me tell you where I am going with this. I have probably five or six kilometres of coastline along the western boundary of my electorate, from Breakout Creek outlet down to about Trimmer Parade at Tennyson. Along that boundary we have the outlet, as I call it, for the River Torrens and many other stormwater outlets which also include several drainage outlets under the control of the City of Charles Sturt, two of which discharge at Marlborough Street and the Grange jetty.

For a good few days after the January rain events the gulf waters adjacent to my electorate turned brown. After the February storm the water was a really dark brown for at least a kilometre out from the shoreline as these outlets spewed significant amounts of stormwater from the catchment outage points. So bad was the situation following the February storm that the surf lifesaving clubs had to suspend their Nipper events along the water at Henley and Grange, the West Beach Surf Lifesaving Club had to suspend its annual Pink Swim, and lifesavers advised others not to take to the water.

Compounding this problem was the amount of rubbish that washed up to the beach as a result of that stuff being contained in the stormwater that was heading out to the ocean. I remember

as a young person that I would get to the end of the Henley jetty and jump off with my goggles, snorkel and flippers and head north towards the Grange jetty, come inshore a little bit and there would be beautiful seagrass beds over that area. Today you have to go about two kilometres out from the shoreline to see any seagrasses at all.

No doubt it has been human activity that has caused the demise of seagrasses with stormwater, sewerage outlets and other human activities in the area. I know that Adelaide needs infrastructure and that during heavy storm events we must get the water away, otherwise it will flood houses. I know that and I also know that, as a city and as a state, we have made significant improvements in stormwater retention and storage. I know that we have made significant improvements in the quality of wastewater discharge going into the gulf from our wastewater plants. I know that we have made significant improvements in catching and removing trash from our waterways. However, what I also know is that we must continue to improve.

We must do better in managing our waterways. We must do better in reducing debris and rubbish and we must do better in improving and increasing the range of our stormwater recycling efforts. To not do any better, to not improve will allow the marine desert that exists along metropolitan Adelaide that goes out for a couple of kilometres, particularly in my electorate, to continue to slowly spread throughout the gulf. We need to improve this. We all have a role and a responsibility to make sure that the spread of this marine desert, as I call it, does not occur.

Again, I highlight that we have made significant improvements, but we need to do better. We certainly need to make sure that we do not have the discharge of those elements in the quantities that currently exist going into the gulf that continue to affect our marine environment, particularly in and around metropolitan Adelaide—but the same exists in some of our larger country regional centres, as well. It is our responsibility to do something in the present to enable future generations to be able to enjoy our marine environment.

PRIVATE IRRIGATION INFRASTRUCTURE PROGRAM SA

Mr WHETSTONE (Chaffey) (16:33): I take note that the previous water minister does show an interest in what water quality we have and in putting some pressure on government to invest in infrastructure, unlike the current water minister.

I rise today to talk about a pool of funding aimed at benefitting irrigators that has sat untouched by this South Australian government in commonwealth government coffers for nearly five years. The Private Irrigation Infrastructure Program for South Australia was established in 2009 with \$110 million allocated as part of the 2008 intergovernmental agreement on the Murray-Darling Basin Reform.

The aim of the funding was to share the water savings achieved from projects under the PIIPSA to be used for environmental water purposes. Essentially it is classed as an irrigation industry renewal/modernisation initiative. The commonwealth government ran two rounds of PIIPSA distributing about \$14.4 million and there was lower than anticipated uptake due to irrigators at the time being less familiar with the way such programs work and the benefits of participating in those programs.

So the South Australian government and the commonwealth government under then minister Burke MP determined not to run a third round and asked the state government to put forward proposals that would achieve greater irrigation water use efficiency.

The commonwealth department then wrote to the relevant South Australian agency on 31 July 2012 seeking to ascertain whether South Australia would be supportive of another round of PIIPSA being conducted. A written response was not provided by the South Australian government to this letter. Last week, I called on the Minister for Water and the River Murray to put forward a tangible business case for South Australia to access the \$90 million. The minister replies via a media release, in which he claims to have struck a deal with the parliamentary secretary for environment, the Hon. Bob Baldwin MP, last November, when in actual fact Mr Baldwin was not even a shadow minister or a parliamentary secretary at that time. He was not even on the front bench. The Minister for Water here in South Australia has stuffed it up and he needs to get his facts right.

What actually happened is that junior minister Baldwin was shuffled out of that portfolio in September—13 September, as a matter of fact. Then the minister this morning announces, in an article in *The Advertiser*, that he struck an agreement to access \$3 million of funding to develop further proposals to access the \$90 million. This has taken nearly five years and we still do not have funding available on the ground to irrigators and water users. In that time, we have seen the price of permanent water rise twofold. We have seen it rise from \$1,300 or \$1,400 up to nearly \$3,000. We have seen temporary water go from \$30 to \$300. What sort of an impact do you think that is having on the capability and the efficiencies of business models, particularly in irrigation districts in South Australia?

The minister will now develop more cases to put to the commonwealth, no doubt eating up part of this money with bureaucratic fees. Why has it taken five years? Why do we not have another round of the PIIPSA funding opening immediately? How long will this project drag on for? The state government has had ample opportunities to utilise the money over this five-year period. The minister is really good at playing political games with water, but he has no consideration for the end user and he has no consideration for South Australia's economy. He likes to play political games. He likes to play the blame game.

For the minister to put out two media releases bagging me is fine, but what it is doing is depriving South Australian irrigators the opportunity to access over \$90 million. I think it is outrageous that he can sit back and pay homage to himself and a relationship he had with a junior minister, who was not a junior minister in November, like he claimed in his press release. What this means is that the projects, of course, have gone to the low-hanging fruit in New South Wales and Victoria. That was a quote by the minister.

I say to the minister that South Australia is waiting to be able to access that \$90 million. Again, it has been reported in Senate estimates that the South Australian government and this South Australian water minister has no will or no want to access that money, because he is too lazy, sitting on his hands and doing nothing to promote water efficiencies in South Australia to achieve the 183 gigalitres towards the basin plan.

AL SALAM FESTIVAL

Ms DIGANCE (Elder) (16:38): As the local member of parliament in which the Islamic Society of South Australia is situated, I was really delighted a few Sundays ago to attend and give support to the second well-attended Al Salam Festival (festival of peace). Following the warmly welcomed inaugural Al Salam Festival last year, attended by many South Australians, it was wonderful to witness the increase in momentum of energy and enthusiasm, which saw the second festival be even bigger and better. This year's volunteer base increased from last year's small group of around 30 or so to over 100, demonstrating how this shared idea has captured the imagination of the community.

When Ahmed Zreika, the President of the Islamic Society of South Australia, approached me just under two years ago with the idea of offering opportunity for non-Muslims to have a venue to ask Muslims everything and anything they wish to know about their way of life, it was clear to me that he and his community knew the value of open conversation and education, as well as the value of shared community. Like so many South Australians, I embraced the Al Salam Festival, the festival of peace, in a world of continual troubled happenings of cycles of violence. To meet this negativity by way of a public festival recognises that education is the vehicle for communicating and promoting peace and tolerance as opposed to fuelling dislike and suspicion.

The possibility and opportunity to break down stereotypes and giving people the chance to ask any questions and discuss any issues and trying on women's headwear is a great initiative. I am really saddened when I hear directly from women in my community of the abusive encounters they experience when people are not accepting of how they might dress. People do not appear to understand that we should be living in a society of tolerance and acceptance.

I would also like to pay tribute to Imam Riad for his measured approach and leadership, for always being available, committed and welcoming to his community while realising the importance of connecting with the wider community. Last year, the Muslim community in my electorate also

initiated a program to invite a neighbour into their homes to share dinner. This, I am told, was very successful and there is a plan to repeat this very activity this year.

I also make mention of the passion of the Muslim youth who work tirelessly in so many aspects of our community to connect and create understanding. They are wonderful young Australians who are contributing and leading on so many levels and in many areas. Testament to this is when Sowaibah Hanifi headed to New York last year as a representative of Australia for a special youth conference organised by the United Nations.

The way the community cares for their youth is exceptional, as evidenced by the recent course created and run by Associate Professor Mohamad Abdalla, utilising his 25 years of experience in Islamic studies and community affairs. A Griffiths University academic, he is regarded as one of Australia's most respected Muslim leaders, combining the roles of serious academic scholar, public intellectual and religious leader. He passionately supports social inclusion and takes much pride in his role in fostering peace and harmony in the community.

Mutual respect, cultural awareness, empathy and kindness are skills that build nations and a just, free and harmonious Australia. The Al Salam peace festival makes our state all the better and adds to the building of a culturally diverse and rich society. Australia is one of the world's most culturally diverse yet socially cohesive nations. Our future is dependent on what we do today and how we plan for tomorrow. This peace festival answers both those calls.

I would like to make mention of my fellow parliamentarians who also attended this particular festival: ministers Close and Bettison. Minister Bettison committed to continue funding over the next three years in support of this festival. Also present were the members for Torrens, Croydon, Wright, Unley, Hartley and Hammond and also the Hon. Russell Wortley MLC.

To the Islamic Society of South Australia and the South Australian Muslim community, I applaud your initiative and commitment as demonstrated by the second Al Salam peace festival. Progressive change begins with individuals with a shared vision. I love working with this community, but we have so much more to do; we have just begun. Your actions speak volumes. I look forward to working together and working towards the third Al Salam Festival in 2017.

DAVENPORT ELECTORATE TRANSPORT AND INFRASTRUCTURE

Mr DULUK (Davenport) (16:43): I rise today to bring to the house's attention the ongoing failures of critical transport and infrastructure in my electorate. The boom gates at the Blackwood and Glenalta level crossings along the Belair rail line have repeatedly failed. Throughout last year there were multiple occasions when the boom gates jammed, including on 2 January 2015, the day of the Sampson Flat bushfire. Just last month the boom gates near the station failed, including on Tuesday 5 January 2016 at the Blackwood station crossing.

Essential maintenance upgrades along the Belair line were completed in December, with the line closed from midnight on Christmas Day until 30 December. It was claimed that these upgrades would, and I quote, 'deliver better train services to the area.' I had hoped that the maintenance work would deliver an improved service, but, alas, this was not to be the case.

On 5 January this year, just five days after this essential maintenance was undertaken, we found out that nothing had changed. It took just five days to once again illustrate this government's inability to deliver on its promise for a reliable and efficient public transport system. It took just five days to show the government's lack of action in the electorate of Davenport. In this day and age jammed boom gates pose serious safety issues in an emergency situation and they should not still be malfunctioning at the rate that they do on the Belair line. It is also a terrible inconvenience that results in lost productivity, as the motorists sit idle waiting for boom gates to open or take lengthy detours instead.

I have written to the Minister for Transport on many occasions seeking answers on this issue, and I eagerly await his response and certainly hope that a plan of action will be implemented by the department in regard to these boom gates but, once again, we are still waiting. If Adelaide wishes to be a modern, world-class city, it must have modern day, world-class public infrastructure that matches it. Melbourne and Sydney electrified their railways almost a century ago, and we here in South Australia have a lot of catching up to do.

As we have seen with the Seaford line electrification project, this government is incapable of delivering projects as promised. This government is all about politics and rarely about policy. Sound policy tells us that Adelaide should follow the lead of our interstate rivals and commit to a time frame to complete the electrification of Adelaide's passenger rail network and stick to it, rather than the current on again, off again, on again timetable, which is a bit like the Rudd/Gillard/Rudd legacy.

As I often do, I had the pleasure last week of catching the train, as I did again this morning, from Adelaide to Belair, and last week I was joined by the member for Mitchell to highlight the many issues with our suburban train lines. It was mentioned during a current affairs program report last week that new electric trains on the Seaford line are capable of speeds of up to 110 km/h but, because of the unsatisfactory state of the newly laid track, Adelaide's brand-new trains are prohibited from going faster than 80 km/h.

Naturally, safety comes first, but after spending \$500 million—almost half a billion dollars—of taxpayers' money, you would expect to see a significant return on the investment. Once again, the taxpayers of this state have been let down by this Labor government. The inability of this lazy Labor government to deliver the infrastructure that South Australia needs is inexcusable. If the promise of electrification of the Gawler line is ever completed by this government, on time and as promised, then I sincerely hope that further speed restrictions on the new trains are not necessary.

If you compare the 1951 Belair train timetable with today's timetable, it is absolutely identical—not one minute faster but, unfortunately, often late and unreliable. The idea that Adelaide's trains are no faster than the steam trains of yesteryear says a lot about the state of our rail network. Many people are shocked when they hear that our trains are no faster than when Sir Thomas Playford was running this state half a century ago.

In many respects, South Australia has been trading water since Sir Thomas Playford left office in 1965. It is quite obvious that the malaise that we have seen over the last 50 years can be put down, in many respects, to 40 years of Labor maladministration. We have had a Labor government more concerned with spin over substance, and this is a testament to public infrastructure and transport at the moment.

South Australia needs a change and a fresh direction, and only a Liberal government in 2018 will get South Australia moving again. South Australians are tired of having the highest unemployment rate in the country, the worst performing public schools and chronic ramping at our public hospitals. My constituents want to use public transport, they want to use the system, but they are held back by an inefficient and outdated transport system. We deserve and we must do better.

KAURNA ELECTORATE PARKS

Mr PICTON (Kaurna) (16:48): I rise to discuss some important upgrades that are happening to the local environment in my electorate of Kaurna. In Kaurna, we are very lucky to have three very important protected areas: firstly, the Aldinga Scrub Conservation Park; secondly, the Moana Sands Conservation Park; and, thirdly, the Onkaparinga River Recreation Park, which is of course connected to the Onkaparinga River National Park, which mainly sits in the member for Mawson's electorate. All of these parks contain very significant environmental features, including native plants and animal species, as well as important areas of Kaurna heritage.

It is very important that, as a government, we are investing in the parks across our state. In particular, I am very pleased that we are investing in parks in the southern region of Adelaide. In mid-2005, the state government committed \$2.4 million to upgrade parks in the south, and we wanted to do that in a way by which we engaged with the local community and conducted what was called a 'co-design process' to determine how this money should be spent and on what projects. That is very important, because we wanted to use this money to engage more people in being active with our parks, to get more people interested in using them, and a lot of the projects that have come about through this process have been ideas from the community.

After that announcement, I wrote to local residents living near the Onkaparinga River Recreation Park with a survey asking them their views on what areas of the park required upgrades and, if so, where we could best allocate the funding. We received about 100 responses to that survey from residents, offering a wide range of suggestions on how the park could be improved to further

encourage others to connect with nature. We provided all of this information to minister Hunter in the other place, outlining these suggestions. The most popular ideas included new public toilets, new walking tracks, additional shade and shelters, picnic tables and cycling trails. Importantly, there was a very high percentage of people who responded who did connect regularly with the parks and viewed it as an important local asset.

I was also very lucky to attend, on behalf of minister Hunter, the co-design group where the allocation of this funding was discussed and decided. At that meeting, I was able to represent the views of local residents in my area on what upgrades they believed were the most important. I would particularly like to thank the hard work of the Friends of Onkaparinga Park group, who spend countless hours working hard across both parks to improve the area, to get rid of weeds and to improve walking tracks. Without those hardworking, dedicated volunteers, the parks would be in a much worse state than they are today. We can see all across the parks their dedication has been displayed. I would particularly like to make note and pass on my condolences for the group's late president, Mr Colin Malcolm, who recently sadly passed away, and thank him for his tireless efforts and pass on my condolences to all of his family and friends. He will be deeply missed.

After this process of consultation, I am very glad that the state government has decided that, out of that \$2.4 million, \$1.7 million will be dedicated to the Onkaparinga River Recreation and National Parks. The upgrades that will be happening include upgraded facilities at Perry's Bend, including improved vehicle parking, trail links, information, and kayak and canoe launching facilities, which people will know is very popular in Onkaparinga River. There will be a new lookout location over the Punchbowl to include picnic areas, parking and trails. There will be new walking and cycling trail upgrades, improvements to the park's entrance and information available at the entrance, and upgrades to toilets and drinking facilities. There will be camping grounds available for families and large groups and better links to off-park services and facilities.

We can see that all of those upgrades will improve the amenity of the park and also enable more visitors to interact with the beautiful natural features within the park. We even have a growing number of tour operators taking tours in there. The Off Piste tour company is one such tour company in the south, and hopefully we will see more and more in the future. I would like to thank all of those constituents who contributed to the co-design process and my survey. Their comments have been taken on board and will see noticeable benefits for their local environment.

Parliamentary Committees

PARLIAMENTARY COMMITTEES

The DEPUTY SPEAKER (16:53): I advise the house that the Speaker has received the following resignations from standing committees: the member for Unley, Mr Pisoni, and the member for Stuart, Mr van Holst Pellekaan, from the Economic and Finance Committee; the member for Kaurana, Mr Picton, from the Economic and Finance Committee, Crime and Public Integrity Policy Committee and Natural Resources Committee; and the Hon. L.A. Vlahos as alternate delegate to the Hon. T.R. Kenyon on the Joint Parliamentary Service Committee.

ECONOMIC AND FINANCE COMMITTEE

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for the Status of Women, Minister for Ageing, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers) (16:54): By leave, I move:

That the Hon. A. Piccolo be appointed to the committee in place of Mr Picton (resigned).

Motion carried.

The Hon. Z.L. BETTISON: By leave, I move:

That Mr Tarzia be appointed to the committee in place of Mr Pisoni (resigned).

Motion carried.

The Hon. Z.L. BETTISON: By leave, I move:

That Mr Knoll be appointed to the committee in place of Mr van Holst Pellekaan (resigned).

Motion carried.

NATURAL RESOURCES COMMITTEE

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for the Status of Women, Minister for Ageing, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers) (16:54): By leave, I move:

That Mrs Digance be appointed to the Natural Resources Committee in place of Mr Picton (resigned).

Motion carried.

CRIME AND PUBLIC INTEGRITY POLICY COMMITTEE

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for the Status of Women, Minister for Ageing, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers) (16:54): By leave, I move:

That Mr Piccolo be appointed to the Crime and Public Integrity Policy Committee in place of Mr Picton (resigned).

Motion carried.

JOINT PARLIAMENTARY SERVICE COMMITTEE

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for the Status of Women, Minister for Ageing, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers) (16:55): By leave, I move:

That pursuant to section 5 and section 4(b)(ii) of the Parliament (Joint Services) Act 1985, Mrs Digance be appointed as the alternate delegate to the Hon. Tom Kenyon on the Joint Parliamentary Service Committee, in place of the Hon. Leesa Vlahos (resigned).

Motion carried

Bills

HOUSING IMPROVEMENT BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for the Status of Women, Minister for Ageing, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers) (16:55): As there are no further speakers in relation to this bill, by way of concluding I would like to thank those honourable members who contributed to the second reading debate. To the Deputy Leader of the Opposition, the member for Reynell, the member for Adelaide, the member for Hammond, the member for Schubert and the member for Hartley, thank you for your words. I am really pleased to hear that you will be supporting this bill. Obviously, you have proposed some substantial amendments.

The key purpose of this bill is to ensure residential premises are suitably maintained. Occupants without a healthy and stable living environment have less capacity to connect and contribute to their community. Safe and suitable housing is central to people's health and wellbeing, helping build stronger and safer communities.

Much of South Australia's affordable housing is located in older existing suburbs with established facilities. The effective life of these older houses can be substantially extended by appropriate maintenance, thereby maintaining the stock of suitable affordable places to live for low-income and disadvantaged households. While few private rental properties have a housing improvement declaration, the impact is high on the individual occupants.

This bill will repeal the Housing Improvement Act 1940 and includes more effective provisions to ensure that those property owners who fail to provide safe and suitable housing are encouraged to meet minimum standards, to control the rent of substandard housing and to improve the capacity to enforce the required standards.

Prior to drafting of the bill, preliminary consultation was undertaken with key industry stakeholders on the need for the continuation of minimum housing standards. Further public consultation was then undertaken on the draft bill. Feedback indicated general support for the continued regulation of minimum housing standards and the general duty to ensure premises are safe and suitable. There was strong endorsement from tenant support organisations for continuation of rent control for substandard houses.

The key principle on which the bill is based is a concept of general duty, which provides for balanced obligations for both owner and occupant. A key objective is to raise community awareness of minimum housing standards, encouraging self-compliance. Minimum housing standards will apply to all properties in South Australia.

Part 3 of the bill sets out the main suite of tools that will secure compliance with basic housing standards. These are: housing assessment orders, housing improvement orders, housing demolition orders, notices to vacate, and rent control notices. Rent control notices include an improved process for inviting an owner to show why such action should not be taken. A rent control notice issued following a housing improvement order will continue to apply in relation to premises, despite any change in ownership or occupancy of the premises.

The bill minimises the risk to tenants that tenants are evicted or treated unfairly by a landlord if they make a complaint about the condition of premises by requiring a review of any eviction notice or change of contract by the South Australian Civil and Administrative Tribunal. The bill now requires disclosure in statements made in the advertising of the lease of residential premises of the fact that the premises are subject to an order or notice under the bill. This will enable tenants to make informed decisions before committing to a lease. Disclosure requirements in relation to the sale of a property will continue.

I draw members' attention to the consultation that has occurred. Information sessions were attended by in excess of 60 participants, including representatives from local government, real estate agents, tenant support agencies and industry organisations. Sixteen written submissions were received. I had the opportunity to meet recently with key industry representatives in a round-table discussion before I introduced the bill to parliament. I wanted to hear directly their views on the Housing Improvement Bill 2015.

This bill now includes amendments as a result of feedback received during earlier consultation, and I again thank all stakeholders for their contributions. Of course, this extensive consultation could not have occurred without the dedication of the department, and I take the opportunity to thank them for their efforts in progressing the development of the bill.

In particular, I acknowledge the work of project managers Murray Hutchesson and Linley May, who have contributed to the carriage of this bill from its inception in 2011. Your commitment to this work is to be commended. In closing, I thank members for their constructive comments. Although I did not agree with all their comments I do thank them for their thoughts and the time they have taken to look at the bill, and I appreciate that they have taken that time. I look forward to discussing this bill further through to the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Progress reported: committee to sit again.

CONSTITUTION (APPROPRIATION AND SUPPLY) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 15 October 2015.)

Mr TRELOAR: Madam Deputy Speaker, I draw your attention to the state of the house.

A quorum having been formed:

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (17:04): I rise today, as lead speaker, to speak on the Constitution (Appropriation and Supply) Amendment Bill 2015. Notwithstanding the order of items that are listed on our sheet, I am assuming, for the purposes of the debate on these matters, that we are also dealing with the Referendum (Appropriation and Supply) Amendment Bill 2015, because together they are bills both of which are necessary to pass if there is to be reform of the constitution.

I do not think it is necessary for me to elaborate in detail as to why that is the case, suffice to say that the Constitution Act 1934 has special provisions which require there to be a certain majority with respect to the passage of the bill through the parliament and for reform in this area for such a point to be presented as a referendum to the people of South Australia. So, there is the passage of the statutes, both of which would be necessary to progress reform in this area. Accordingly, I will address my remarks at least with respect to both of those bills as being in tandem, both of which were moved by the Attorney-General on 15 October 2015.

There is a second set of bills to follow which provide for the government's proposed resolution of deadlocks in the passage of legislation in our parliament. Again, they are in the form of two bills; namely, the Constitution (Deadlocks) Amendment Bill 2015 and the ancillary referendum bill which will follow in these debates. Also scheduled for consideration this week is a third bill, introduced on 15 October 2015 by the Attorney-General again, entitled the Electoral (Legislative Council Voting) Amendment Bill 2015. That is a bill proposing reform and in particular the introduction of what is known as the Sainte-Laguë voting system for the Legislative Council.

I will come to those matters when we deal with the bill, but I just make the point that the government has introduced a tranche of bills with respect to reform of the parliament, and in particular the Legislative Council. It cannot progress in any kind of isolation without there being some reflection on what has happened in the past and what is happening today. The parliament will probably feel mercifully relieved that I am not going to traverse all of the events of 1843, or since then, when the Legislative Council was first established in South Australia, sorely tempted as I am.

I am going to briefly reflect on that period leading up to the Constitution Act 1857, but before I jump into that pool of history can I just summarise, for the purposes of the bill itself, that it essentially seeks to amend those sections of the Constitution Act which relate to money bills; that is, budgets, appropriation bills and the like, or indeed any piece of legislation which has a price tag with it; that is, that requires some provision from the general revenue, or indeed a dedicated fund under the control of the government, to be applied to facilitate its implementation.

For example, if one were to introduce a bill to establish a particular structure in tandem with a government department—another agency, for example—it would require staff and a budget. When the government announced that they wanted to have a commissioner for Kangaroo Island, that office needed to have support staff so it needed a budget allocation (which, incidentally, is about \$1 million a year) and they appointed the commissioner with staff allocations, with travel costs to go back and forth to Kangaroo Island, and so on, so it costs money. It is a bill which, if passed, will cost money to implement. That is what we are talking about, essentially, in relation to money bills.

This bill is to introduce a new process of securing the passage of the appropriation and supply bills so that those bills do not need to be passed by the Legislative Council before being presented to the Governor for assent. The Constitution Act currently gives power to the Legislative Council to reject either the Appropriation Bill or the Supply Bill, and I will come back to the commentary surrounding the history of that shortly.

In short, these bills will insert a new provision into the Constitution Act, if passed. They will relate to either the annual appropriation or supply bill so, if the Legislative Council fails to pass the bill within a month or rejects the bill or passes the bill with amendments to which the House of Assembly does not agree, the bills will be taken to have passed both houses of parliament and will be presented to the Governor for assent. In short, this will totally change the provisions currently in

section 10 of the Constitution Act which give the Legislative Council and the House of Assembly equal power within the parliamentary structure.

Here comes the interesting point. The government says, via the Attorney-General's contribution, that the basis upon which this bill is presented, the argument as to why it is necessary to change this process as to what is to happen in the event that the Legislative Council does not do everything that the House of Assembly wants it to in a timely manner, is that 'There is a risk that the Legislative Council could misuse that power and unacceptably delay the annual Appropriation Bill and, in doing so, disrupt the machinery of government.' Those are the very words in the second reading contribution of the Attorney-General.

The fear is that there is some risk that this would happen and, essentially, the whole operation of government would come to some kind of grinding halt. Not one single example has been given as to that having occurred or, indeed, even that there has been a threat of that having occurred, but that is the argument upon which the Attorney-General has introduced this bill to the parliament and asked us here in the House of Assembly to support its passage.

I have to say that, in an environment of having started parliament this week and the Premier announcing yesterday (on which there was some public commentary) that he was keen to have, if I paraphrase this, a fresh start to the year and that there be a resetting of the relationship between the government and members in the Legislative Council and, in particular—

The Hon. J.M. Rankine: The crossbenchers.

Ms CHAPMAN: —the crossbenchers, as I am ably assisted by the member for Wright—

Members interjecting:

The DEPUTY SPEAKER: Order!

Ms CHAPMAN: I actually spoke to one of them today, who had not had a phone call at all, incidentally. Nevertheless, the olive branch was being extended by the Premier because he wanted to reset the relationship with the crossbenchers and start again this year after a pretty bumpy road, clearly, when we dealt with the Planning, Development and Infrastructure Bill in the dying days of last year's parliament. He wanted to have a better relationship with them and he is quoted as saying, 'We're confident that we can come to a sensible compromise'—referring to the planning minister John Rau—and prepared to sit down and have a cup of tea and a Monte Carlo biscuit with any MP who is concerned over the reforms.' So there was going to be a panacea of discussion, civilised discourse and conversation and hopeful compromise in dealings with the legislative agenda of the government.

In the same breath on the same day we received the tabled program of the government in this house which is to introduce constitutional reform to effectively strip the Legislative Council of power and to implement—if they get their way—reforms that will clearly adversely affect those crossbenchers and members of the minority parties in the Legislative Council. This is the way the government operates.

The Premier says, 'I want to have a respectful, civilised conversation, communicate with the crossbenchers and have dialogue that will be fruitful,' and present as though he is a great panacea of compromise, and yet his 2IC, his deputy, is progressing in this house the very next day legislation that will basically execute the power, strip away that power that is currently able to be exercised by members of the Legislative Council. It is a dispossession of their role and responsibility which is in total contradiction to the mantra coming from the Premier as to his respect for and commitment to negotiate with members in another place.

It is fair to say that we have had—and certainly even in the time that I have been here in the parliament, under a Rann and now Weatherill governments—a few cracks of the whip on this reform. It has come in slightly different packages in the time that I have been here but I will come to what I call the 21st century reforms of this government in 2005, 2009 and now in 2016, where there is an attempt to either abolish or to dispossess or strip away the legislative powers in the format that I will describe.

Let me briefly go back to 1843. The Legislative Council was the first parliament in South Australia and was followed, I think 14 or 15 years later, with the establishment of our house here, the House of Assembly. The government, it is fair to say, has not been unique in raising questions about the franchise of the Legislative Council—that is the base upon which Legislative Council members are elected—there has been a controversy for over 100 years and probably since its inception there has been, from time to time, some discussion about that and/or whether it is appropriate that we have a bicameral legislature, as was established and proposed back at the settlement of South Australia, taken up in most of the states around Australia and, indeed, in our federal parliament ultimately after the coming together of the federation of the colonies.

It is fair to say that even here in South Australia, within the first year of the Constitution Act of 1856, media reports of the day recorded public debate as to whether the colony should have a unicameral or bicameral parliament. As published in *The Register* on 4 September 1856 under the title of 'The Union of the Two Houses', the following statements were made:

The more closely we scrutinise this idea the more deeply we are convinced...The broad principle of the amalgamation of the two Houses we advocate on economical, political and social grounds. One House will be less costly than two Houses and we have no money to spend in needless complications. One House would be more politically useful than two Houses, there being no fear of deadlocks and injurious suppression of public business.

Ultimately, that position did not prevail. Even back in the 1850s, it seems that wiser heads recognised the importance of having a bicameral legislature. I think it is reasonable to remember the context of why the two houses of parliament had been adopted, following the British system. Ms Jan Davis, the Clerk of the Legislative Council, prepared an excellent paper that she presented to the 34th Conference of Presiding Officers and Clerks in Tonga in 2003 on the question of constitutional powers and safeguards for a bicameral legislature. She outlined an interesting history, but she makes the point that the Australian colonies accepted the principle of bicameralism and planned for two houses of parliament. She quotes Mr Dean Jaensch on 'Upper Houses of the Australian States' in a publication in 1972, as follows:

The Lower to represent the people, the Upper to consist of the Education, Wealth and more especially of the Settled Interests of the country...that portion of the community naturally indisposed to rash and hasty legislation...it was prudent and necessary to safeguard the rights of property, and especially of rural property, against the possible incursion by those who had little. The diggers, the Chartists, the embryonic commercial and industrial work force and the rural labourers were economically essential—but politically doubtful elements in the new societies. And while democracy might have its head in the Lower Houses, it was to run the gauntlet of the settled men of property in the Upper.

We read something like that today, out of the context of the early part of the 1800s, and recognise that it is not only quaintly old fashioned at best but unacceptable, divisive and discriminatory compared to what we have today. I think it is fair to say that, whilst the Australian Labor Party has almost had a fixation over the last 115 years or so in their somewhat vitriolic attack from time to time—but certainly pushed for and maintained a policy to abolish or diminish the power of the legislative councils or upper houses generally. I am not going to be critical of that policy today, but I make the point that they have been absolutely vigilant in maintaining it for over 100 years.

I find it quite curious that, at least in my lifetime, the Australian Labor Party certainly pushed for the expansion of franchise in respect of those who vote in the Legislative Council, that is, from those who owned property, across to those of the fairer sex and the gender equality of women having the right to vote. It is not just women who own property but all women and men over the age of 21 years in the first instance, and then with the reforms on voting age over the age of 18 years; so, full adult franchise to be applied since the early 1970s.

It took 100 years or so to get to that stage. I think it was very strongly pushed and advocated by many members of the Australian Labor Party. Yet, having achieved a situation where men and women can be represented in the Legislative Council and where they can vote equally, provided they are on the electoral role and irrespective of colour or sex provided they are over the age of 18, inconsistent with that, in my view, is that they should be so zealous in their desire to be kneecap the poor old Legislative Council. However, we could go on at some length with that debate; but I just make the point that since I have been here in the parliament, since 2002, since this government has been in place (that is, under premier Rann and then Premier Weatherill) this is the third bite of the cherry, this is the third attempt.

Members might recall that in 2002 the Rann government formed government. There was an agreement with then speaker Mr Peter Lewis, who was to be granted, as one of the terms of the agreement of the Rann government forming government, a constitutional convention. That convention eventually took place over a sustained period and with significant public participation. The upshot was that not only was there confidence from the convention in resolving a number of things but, importantly for this issue, two things: one is that we needed the members of parliament in numbers that we had, that is, we did not have to halve the Legislative Council or the House of Assembly; and, secondly, South Australians wanted to keep the bicameral system. Not only did they decide it at that convention but they have consistently at election after election declined to give the governing party, or aggregate of parties in this house, full control in the same party, or aggregate of parties, in the other place.

In that time we have had a number of different administrations, that is, over the last four elections—2002, 2006, 2010 and 2014—where the party that has formed government has had around 30 per cent to 35 per cent of the primary vote, and in the other place South Australians have consistently—or at least two-thirds of them—not voted for the governing party. That ought to tell the government yet again that by dint of having a majority in the other place the people of South Australia are not confident in appointing the governing party of this assembly into a position of having control of the parliament.

Without going into all of the arguments about what has happened at the elections and whether the ALP should be forming government—we will leave that to the Electoral Districts Boundaries Commission who are considering those matters at present, as it would otherwise be a very long discourse—I make the point that the government have come to us a third time, now here in 2016 after attempts in 2005 and 2009, to do this again in the face of what is absolutely certain.

That is, the public have never endorsed a stripping of power from the Legislative Council. They have never endorsed the reigning government having control of both houses; that is, the government also having control of the parliament. In fact, they have given a convincing vote to endorse the principle that the parliament should be independent of the government and, indeed, if we have responsible government, that that government is responsible to the parliament and, in being so, is responsible to the people of South Australia.

Let us have a quick look at what they tried to do. In 2005, I can recall the late Greg Kelton, who was a senior political reporter in Adelaide, running a front-page story on 24 November, which was titled 'Rann to call referendum for 2010; abolish the upper house'. The content of that article included:

Premier Mike Rann wants Parliament's Upper House abolished and will ask South Australians to bring about the greatest electoral system change in the state's history...

Labor, frustrated by legislative delays and the watering down of new laws in the Legislative Council, will begin moves to get rid of it after the March 18 election that polls suggest it is likely to win.

One has to ask the question: if the Legislative Council was such a danger, was such a threat to Mr Rann's government, would he not have actually presented some examples of where there had been a frustration of legislation, where there had been a rejection which brought his government to a standstill, to be able to justify this? Curiously, members would remember the great period of time when Mr Ralph Clarke, a former member of this house, had been embroiled in litigation with the Australian Labor Party.

On the very same day that we had this exclusive story by Mr Kelton outlining the premier's announcement, on that very day, Ms Edith Pringle, a former partner of Mr Ralph Clarke, was to present evidence to the select committee of the Legislative Council—what a coincidence! Isn't that amazing! Could the *Advertiser* exclusive have been some attempt to divert the public attention? The evidence of the day, the whole tawdry issue, frankly, was a matter which ultimately spilled over into this house, as I recall.

An honourable member interjecting:

The DEPUTY SPEAKER: Order!

Ms CHAPMAN: The then attorney-general—

An honourable member interjecting:

The DEPUTY SPEAKER: Order, no interjections! Order!

Ms CHAPMAN: The then attorney-general was embroiled—

Mr Knoll interjecting:

The DEPUTY SPEAKER: No. Member for Schubert, you are called to order and I warn you. No interjections, either side. We have to listen.

Ms CHAPMAN: The reality is that the whole tawdry scandal later embroiled the attorney-general of the day in respect of his involvement as to whether that case proceeded or not, ultimately, in the Supreme Court. In question time, I can recall here raising questions with the then treasurer, who was then the acting premier, about what action had been taken by the government and what knowledge they had about certain allegations of promises of board positions and the like. So, we had this whole tawdry business, but how coincidental that on the day that Ms Pringle was to give evidence to the select committee in respect of the Legislative Council, we have a situation where this suddenly hits the front page. It did not actually do much after that—that is, the premier of the day did not do much. It is fair to say that, following the election then in 2006—

The Hon. J.M. Rankine interjecting:

The DEPUTY SPEAKER: No interjections.

Ms CHAPMAN: —the ALP, during that election, failed to increase their number of MLCs elected from four, and so of course the premier announced another threat to abolish the Legislative Council.

The Hon. J.M. Rankine interjecting:

The DEPUTY SPEAKER: The member for Wright is warned for the first time.

Ms CHAPMAN: So, they missed out. They did quite well in the House of Assembly, I have to say, in 2006, but I make the point that they did not improve their position in the Legislative Council, so they did not get control of the Legislative Council. So, of course, out comes the old chestnut: the renewed threat to abolish the Legislative Council.

It does raise the question of whether the continued call for public debate and reform in this area by the government (conveniently, it seems, when there is bad news coming on the front page of papers) is also designed to try to bring the Legislative Councillors to heel, that is, to get them to almost be intimidated into being compliant with government legislation. In other words, 'You naughty children; if you don't do as you are told, if you don't pass legislation in the terms that we want, then we will punish you and you will be stripped of power or abolished altogether.'

This sort of intimidation by this constant threat of that occurring that I think is reprehensible on behalf of the government, because each time they come up with these threats, they do not produce any new evidence to suggest that legislation has been butchered, that it has occurred in abundance, that it has been rejected, that the economy of this state is grinding to a halt, or that government action is paralysed—none of these things occur. So, the Legislative Council goes about its lawful business of making amendments and obviously offering advice in respect of reform to proposals that have gone through this house, most of which is quite helpful, but almost all of which reflects only a tiny little piece of the total legislation.

On average, something like 98 per cent of the legislation that goes through this parliament is untouched. Some of it is amended, and the Legislative Council has some discussions. Sometimes we have meetings of the houses to be able to deal with an impasse through a deadlock process, but over 98 per cent of that legislation ultimately goes through. So, we are talking about a tiny little piece of legislation. That is the general legislation, let alone money bills, which are the subject of this legislation, this bill proposing to have a new format. So, we had the threat sitting there again.

We then came up to 2009, and the attorney-general of the day, who is now the Speaker, introduced the Constitution (Reform of Legislative Council and Settlement of Deadlocks on Legislation) Amendment Bill into this house. The aim of that bill was to amend the Constitution Act

1934 to reduce the number of members of the Legislative Council from 22 to 16. Further, the term of MLCs would be reduced from eight years to four years, to be served jointly with members of the House of Assembly. Finally, the bill also sought to replace the current deadlock provision and leave it to the House of Assembly to determine whether the position the Legislative Council has taken on the deadlock bill would result in a double dissolution and general election. The President of the Legislative Council was also to be given a deliberative vote on all questions instead of on the current casting vote.

The reforms were not dissimilar to what is before us again today, although they do not cover the complement of the Legislative Council in number or term of office, or indeed the changing of the voting position for the President of the Legislative Council. But, the core elements of dealing with settlement of deadlocks on legislation were covered in that tranche of proposed reform.

Well, we know that that also came to skidding halt, but it served its purpose. It served its purpose back in 2009 in the lead up to the 2010 election, where two things were happening. One was the premier of the day was saying to the people of South Australia that he was committed to getting rid of the Legislative Council. When he thought that he could not get that through, he thought he would introduce some form of reform. Leading up to the 2010 election, we had another scandal. We had the premier under pressure in respect of his alleged improper conduct with another person.

So, what did the government do? What it usually does: pulls out the old chestnut and throws onto the front page of the paper announcements about getting rid of the Legislative Council, which they then modified, as I said, down to the reform agenda. Anyway, that did not last long, and so it was off the table again. What happens now? Now we come with no new example of misuse or inappropriate conduct by the Legislative Council other than the fact that they have had the audacity to suggest that there should be some amendments to some of the government's bills, or, indeed, in certain circumstances, that they would not support them, but in a minor number.

The Legislative Council has never, to my knowledge, in the time I have been here refused to pass an appropriation bill or a budget bill—not once from 2002 to 2016. I am in the chamber most of the time, and I am involved in debates on a number of the bills. From time to time, we debate them here, we sometimes get amendments here, they go to another place, they have amendments, and they come back. In all that time, whilst there has been opposition to parts of the budget bill, the appropriation bills and supply bills have passed.

We have always ensured that money is allocated from the Consolidated Account to ensure that the public sector has continued to be paid. We have always passed legislation that supports the supply arising out of the budget allocations. There have been very few occasions that I can recall where we have opposed the introduction of a new tax or a new law which was inconsistent with what had been promised by the government.

One of those, I recall, was when we objected to being introduced into a budget bill the change of obligation for the payment of legal costs in prosecuted cases by the police department in the lower courts. The government, in a budget bill, wanted to change the onus of obligation in respect of costs. Instead of costs following the cause, as such, there would be a presumption that costs would be recovered by the prosecution in the reverse circumstances. We just said, that is a fundamental attempt to change a current legal position, it is not something that should be in the money bill that is being presented to the parliament, and we objected to it. That, ultimately, was successful and it was excised. There was also a biosecurity fee that the government proposed to introduce. We said, 'Well, hang on a minute, this is completely new, this is something that hasn't been agreed to, announced or proposed, and which you are wanting to introduce,' and we said no.

The other one I can recall more recently, arising out of last year's budget, was when the government wanted to introduce a transport development levy (I think they called it), which was a glossed up car park tax that was going to increase the cost of parking in the metropolitan area of Adelaide to thousands of people on a daily basis. The government kept trying to put its head in the sand and pretend that owners of car parks were going to put that up and absorb that cost, which was a complete nonsense. There were going to be public servants, nurses, people coming into the city every day, working shift work particularly, who had no access to public transport and they would be needing parking facilities, for which they were going to be paying this onerous tax.

We said no, this had not been discussed with the people of South Australia and it was not acceptable that they just add this on. When I say 'we' I do not mean just the Legislative Council, as on this side of the house we made a decision that we would not accept that imposition. It was wrong and it was without notice. It was inconsistent with promises that had been made and we were not going to break our commitment to South Australians that we would keep the government accountable where it was going to mischievously try to prop up its own incompetence by introducing new taxes.

Otherwise, generally, these bills have passed through, largely by convention, to ensure that there is the continuation of government business, with the expectation that passed the government itself would be brought to account at the next election. Sadly, that does not always happen, but nevertheless that is the practice that we have respected on this side of the house and which we have complied with, unless the government has gone beyond that remit.

Here is the third attempt that the government has introduced with this bill to deal with a sin that has not been committed. I say to members of the house: on what proper basis can you ask us to even consider a reform of a time-honoured structure of parliamentary scrutiny without any example of misuse or practice of which is now going to undermine the proper administration of government in this state? It is without principle to even ask us to do that, when, on the face of it, the only real reason it is being done is to, yet again, deflect the people of South Australia from the real issue in this state at this time.

The real issue in this state at present is that we are in a terrible financial state. We are on the bottom of the pack as far as a ladder of opportunity amongst the other states. We are abysmal in comparison to the performance at the federal government level and South Australians, on a daily basis, are living in an environment where we have the highest unemployment in the country. The youth unemployment, for those members who are representing the northern suburbs of Adelaide, is just woeful. It has produced a social blight on the future opportunities of the children and families in those areas which is a stain that I do not think we are going to eradicate for decades to come. However, we must try.

South Australia is in a mess financially. We have the Treasurer of the state telling us that we are going to have a \$2.7 billion surplus in the forward estimates. I can remember treasurer Foley (the former member for Port Adelaide) making the same promises: I can remember treasurer Weatherill making the same promises when he took on the mantle of both treasurer and premier at the same time. We had promises of 100,000 jobs, we had promises of budget surpluses and we had promises of fiscal responsibility in the budgetary administration of this government and South Australians have been let down over and over again. Now, when they are in a complete and utter mess, they have made threats in the last 24 hours to increase taxes ('nasty state taxes', as described by the Premier) and even close hospitals.

We are in a mess and the government's answer is to start getting stuck into the Legislative Council again to try to deflect attention from the woeful predicament that South Australians face with families whose children at the end of their education have to find prospects of employment, let alone career advancement, in other jurisdictions and even overseas, with the consequence that, of course, we lose those young people, frequently forever, being able to contribute to the economy of South Australia.

Just last week I spoke to a very significant player in the population and migration professional world and he confirmed, again, that in the last financial year we lost a net 3,500 people to interstate migration. That is, 3,500 (mostly young people) more left the state than came here. Whilst the demographic of our population becomes older and there is more concentration of older people, we also have fewer people to create the economic wealth of the future. This is a very bad sign for South Australia and here we are having to debate this because the government thinks that the most important thing to debate in this parliament on the first day back is constitutional reform.

It appears from the Premier that the second most important thing, vis-a-vis his announcement today, is the bill he proposes to move in parliament to deal with discrimination reforms for the lesbian, gay and bisexual community—which is not unimportant, do not get me wrong, but that was tabled on 1 December last year and could have been progressed at that point. But the

Premier put it on the table and it was out for discussion and the very first thing he did was to stand up today and announce that he is going to progress that bill.

Rome is burning. South Australia is in a mess. There will be no future for our children and grandchildren unless this government get their heads out of the sand and understand the serious predicament we are in and not have these bread and circus sideshows such as introducing constitutional reform which has been demonstrably rejected not only by this parliament but by the people of South Australia repeatedly at elections and convincingly at conventions, and documented as being voted down on prior occasions. They bring nothing new to the table yet they expect us to have a debate on something which is nothing but a red herring.

I want to contrast one last thing. It seems that when it suits the government they are quite happy to have a Legislative Council, so just let me go to the flip side. After the debacle we had by the resignation and, ultimately, retirement of the Hon. Bernie Finnigan in the other place (the Legislative Council)—a person who had been preselected and promoted and befriended by plenty of people in the ALP sitting here in this chamber—we then had a joint sitting to replace Mr Finnigan. The government could not get over there quickly enough to endorse a motion to present Mr Malinauskas to be—

Mr Duluk: The next premier of South Australia.

The DEPUTY SPEAKER: Order! The member for Davenport is warned for the first time.

Ms CHAPMAN: —an honourable member of that place. They could not get over there quickly enough to nominate the new golden boy of the ALP into the other place. When it suits them they are happy to jump in there and rush in with somebody. Would it not have been consistent if this government was genuine about—

The Hon. T.R. Kenyon interjecting:

The DEPUTY SPEAKER: Order! The member for Newland is reminded that he is on one point.

Ms CHAPMAN: To go over there, give applause to the work of the Legislative Council, the important contribution that their new golden boy was going to make in the Legislative Council. So, while the opportunity was there to promote their golden boy, that was a place of significance. They announced all of the great things that he had done and that he was going to do from his position in the Legislative Council—because that is what he has been elected to; that is what he was nominated for by the government, from the ALP, to be the replacement member.

The Premier walked over to the Legislative Council and stood up to promote their golden boy, their man of reform, protector of penalty rates and blah, blah, blah—all the things he is going to do—and did so at a time when only the month before he had tabled a bill to nuke them. I just find the whole thing farcical. It is absolutely farcical that the government would come to us and try to present a case for a reduction in the power and responsibility of a house to which they have just admitted their golden boy. What a joke.

The DEPUTY SPEAKER: Are you seeking leave to continue your remarks?

Ms CHAPMAN: No.

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

Parliamentary Committees

SOCIAL DEVELOPMENT COMMITTEE

The Legislative Council informed the House of Assembly that it had appointed the Hon. G.E. Gago to the committee in place of the Hon. G.A. Kandelaars (resigned).

STATUTORY OFFICERS COMMITTEE

The Legislative Council informed the House of Assembly that it had appointed the Hon. G.E. Gago to the committee in place of the Hon. G.A. Kandelaars (resigned).

At 17:58 the house adjourned until Wednesday 10 February 2016 at 11:00.

*Estimates Replies***LIQUOR AND GAMBLING IT SYSTEM**

In reply to **Mr GRIFFITHS (Goyder)** (22 July 2015). (Estimates Committee A)

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide): I have been provided the following advice:

The total budget for Stage 3 of the Liquor and Gambling IT System was \$0.93 million inclusive of a \$0.59 million capital budget. The project is expected to be completed on time and within budget.

RESOURCES INFRASTRUCTURE TASKFORCE

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (28 July 2015). (Estimates Committee A)

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

The Taskforce Steering Committee met seven times over the period 2014-15.

MINING INDUSTRY

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (28 July 2015). (Estimates Committee A)

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

I am advised that an internal review of the case management, assessment and approvals decision making on the granting of mineral tenements for major mining projects was initiated by the Department of State Development. The key purpose of the review was to assist the department improve its internal systems, processes, effective collaborations and work scheduling.

MINING JOBS

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (28 July 2015). (Estimates Committee A)

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

The target of increasing the value of our mineral and energy resources production from \$7 billion in 2013 to \$10 billion a year by 2017, creating an additional 5,000 jobs, uses a baseline of 2013 with the 12-month moving average for employment adopted to smooth out volatility.

The target was based on a number of assumptions used to determine the expected increase in mineral and energy resource production and the potential flow-on effect to the size of the workforce. These assumptions included the commodity price outlook and publicly available guidance from resource and energy companies about future increases in output capacity.

REGIONAL COUNCILS

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (28 July 2015). (Estimates Committee A)

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

All councils holding an Extractive Minerals Lease are subject to the *Mining Act 1971*, however there are no metropolitan councils currently holding one of these leases.

Additionally, councils with borrow pits from which material is raised for road works are managed through the *Local Government Act 1999*. These borrow pits are not regulated through the Mining Act, but as announced in June 2015, will now be subject to the requirement to pay royalty in accordance with the Mining Act.

I am advised that no metropolitan councils are reporting production from a borrow pit.

MOTOR ACCIDENT COMMISSION

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (28 July 2015). (Estimates Committee A)

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

MAC employed 38.15 FTE's as at 30 June 2015.