

HOUSE OF ASSEMBLY

Wednesday, 10 February 2016

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

Parliamentary Committees

SELECT COMMITTEE ON JUMPS RACING

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) (11:01): I move:

That the committee have leave to sit during the sitting of the house today.

Motion carried.

PUBLIC WORKS COMMITTEE: BETTER NEIGHBOURHOOD PROGRAM

Ms DIGANCE (Elder) (11:02): I move:

That the 537th report of the committee, entitled Better Neighbourhood Program—Program 1 Renewing Our Streets and Suburbs Initiative, be noted.

The original Better Neighbourhood Program commenced in 2002 to renew the ageing South Australian Housing Trust homes with new and more suitable dwellings. Houses on large blocks are demolished, blocks subdivided and some sold to fund the program. Other blocks are redeveloped with a mixture of two, three and four-bedroom homes. There is an increasing demand for smaller homes, so focus is given to two-bedroom dwellings on smaller, easier-care allotments.

The program covers 4,500 properties within 10 kilometres of the CBD, replacing new for old. It is a self-funding program. The aim of this specific project is to accelerate the program, targeting the redevelopment of 765 properties over a five-year period. In order to accelerate the program, the government is investing \$11.413 million (GST exclusive)—a one-off injection of funds. The project is to be cost neutral over its life, that is, over the five-year period, \$187.274 million (GST exclusive) is expected to generate from the sale of allotments, with expenditure of \$187,137 million (GST exclusive) over the same period.

Seven hundred and thirteen new Housing Trust dwellings will be constructed and 899 allotments sold. In order to achieve no reduction in social housing whilst ensuring this program remains cost neutral and therefore viable, the complementary new building program will address the small shortfall currently anticipated in the number of dwellings. This potential shortfall was of concern to the committee, and we sought and received assurances from the department that this will be addressed by the new building program.

Specific details as to the exact location of a number of redevelopments to be undertaken in the outer years is currently being planned, as it is dependent on the timing, success and location of earlier builds; hence the committee will be following the progress of this project with interest. It is anticipated that the accelerated program will provide an increased stimulus to a range of sectors in our economy, including several land development and allied professionals, building designers and architects, construction and related industries.

It is estimated to boost employment by an average of 530 direct and indirect jobs per annum over the five-year period. The project will commence this financial year, with the five-year program concluding in 2019-20. Given this, and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Mr WHETSTONE (Chaffey) (11:05): I too rise to support the 537th report entitled Better Neighbourhood Program. I will make a brief contribution considering the large amount of public housing that I have in the electorate of Chaffey. It is disappointing that this program, which is an

initiative to upgrade public housing, is predominantly aimed at enhancing public housing in metropolitan Adelaide. I feel that the regions are being a little bit overlooked. Basically how it works is that the government will vacate tenants and demolish some of those existing homes that are in a state of disrepair. They will do minor subdivision works, resubdivide the land, sell a proportion of the land, and then build new public housing to create a new era of public housing.

Some concerns were raised about various council development plans and how they will impact. One concern that I do have overall is the current lengthy waiting list for public and emergency housing in South Australia. I could not see any evidence suggesting that the program will address those current waiting lists. What we did find out is that they are not increasing the number of social housing outcomes, but there are some that are on the waiting list and emergency list that do come into the housing created by the program if they are better suited or better matched to someone who is already within the program.

For some of the tenants who will be relocated from old homes to new homes under this program I think there has to be some consideration of their track record. Too often we see the damage and neglect to public housing from how it is treated: too much damage, too much vandalism, too much footprint that some of these public tenants leave. They are basically looking a gift horse in the mouth when they look at public housing. Once they leave, some of them leave a footprint and they need to be scrutinised. We do not want to see these new homes treated poorly, because it is a step in the right direction. For some of the older tenants in the older homes, the reason that we have to upgrade some of these homes is that they have been treated poorly for such a long time.

Overall, for program No. 1, I would like to think that the government would initiate a program 2 and target regional South Australian public housing, just like they have in metropolitan Adelaide, to give the region something that it deserves, and that is, equality across the state. I do note that the committee was supportive of this project, and I recommend it to the house.

Ms SANDERSON (Adelaide) (11:09): I would like to make a few brief comments as the shadow minister for social housing. When this policy was first announced, the government announced it as a renewal program and that certainly put a lot of fear through many of the people that I represent, given that my electorate is completely within 10 kilometres of the CBD and I have a large percentage of people who live in Housing Trust properties.

I think the government has learnt—I have seen over the last year—better ways to deal with people; however, I just want to place on the record some of the very damaging consultation or lack of consultation or how this was dealt with and the physical and emotional effects that that has on some of our most vulnerable people, particularly in Prospect where there are some larger homes. Certainly, if you were looking at this only as a profitable or cost-making process, you would think, 'Well, that's a 900 square metre block; let's knock it down and we can put three on there,' however, what you are failing to see is the importance of that home to that person and, as they said in *The Castle*, it is his home, it is their castle, it is not just a house.

Whilst the media will often highlight some of the people who are abusing the privilege of social housing, I would say 95 per cent (or higher) of the people who live in social housing really appreciate those houses and have turned them into their homes. Many of the people who I have dealt with in Prospect have planted trees and gardens and have made minor renovations to their homes. One lady took in a foster child and he is now enrolled at the local school, so when she received the notice that she might be moved, it sent her into quite a panic, as you would imagine. All of her plans for her future are based on living in that community with her foster child at the local school.

So this cannot be seen as purely profitable, like-for-like, because we are not even getting more social housing; this is only neutral—cost neutral and numbers neutral—so it does not actually benefit any more people, so we should definitely take into consideration the people who are living there.

We have one very sad and unfortunate case where the last email that a lady sent to my office before dying expressed her concern about being moved out of her home and out of her electorate, and that all of her ties and the only places where she felt comfortable were in Prospect, at the Prospect library and the Prospect community centre. Other than that, she was very scared of crowds

and people, and that to move her would overwhelm her, and it was the last thing on her mind, unfortunately.

So I think that when the government comes up with a policy like this, the way that it is dealt with on the ground with individual people is the difference between a successful outcome and one that is very damaging to some of our most vulnerable people. I will certainly be keeping a close eye on it and welcome any feedback from my constituents who have any negative dealings under this program.

Ms DIGANCE (Elder) (11:12): I thank the member for Chaffey and the member for Adelaide for their contributions. I would like to acknowledge the member for Adelaide's concerns on behalf of her constituency and reassure her that these issues were raised at the committee as well, because there is concern over moving people when they have been living in a particular area for such a length of time.

The other issue that was raised by the committee and requested that attention be given to was communication about what happens in the area. In the electorate of Elder, for instance, there are a number of blocks that are vacant at the moment and, naturally enough, that does cause questions to be raised. A commitment has been given by the department that communication will come through to local members so we can let our constituency know what is happening with empty blocks and what is happening with the process. I thank my fellow committee members on the Public Works Committee for their commitment to this project, and also the witnesses, and recommend this report to the house.

Motion carried.

PUBLIC WORKS COMMITTEE: INLET REGULATING STRUCTURES ON MARGARET DOWLING CREEK AND ECKERTS CREEK

Ms DIGANCE (Elder) (11:04): I move:

That the 538th report of the committee, entitled Inlet Regulating Structures on Margaret Dowling Creek and Eckerts Creek, be noted.

This project is comprised of two components, namely the Margaret Dowling Creek project and the Eckerts Creek project, also referred to as Bank J project. They form part of the early works for the South Australian Riverland Floodplain Integrated Infrastructure Program, which is a \$155 million commonwealth-funded project. Specifically, these works will allow flexibility to safely control a greater range of flows to the Pike and Katarapko floodplains.

Currently, a regulator, footbridge and road bridge on Margaret Dowling Creek all restrict flow and fish passage from the river to the floodplain. In addition, the regulator is unsafe and the road bridge is in need of repair. Hence, there is an opportunity to replace the existing regulator with a new regulator and fishway, replace Lock 5 road bridge, and replace the existing footbridge in Bert Dix Park, at a cost of \$4.9 million (GST exclusive).

These works on Margaret Dowling Creek will allow for increased flow capacity, from 150 megalitres per day to 600 megalitres per day, which will allow flows onto Pike Floodplain in a managed way, especially during high water flows. It will also provide for improved fish passage between the main River Murray channel and Pike Floodplain and eliminate the risks associated with the operation and use of the current regulator and Lock 5 road bridge. The project will support the reinstatement of the high social value amenity at Bert Dix Park.

The second component of the project, the Eckerts Creek project (also called Bank J project), aims to increase the flow capacity of Eckerts Creek from approximately 60 megalitres per day to 633 megalitres per day, to increase flows into Katarapko Floodplain. These works will also provide improved fish passage between the River Murray and Katarapko Floodplain. Currently, there is a single pipe culvert at Bank J which restricts flow and is a barrier to native and other fish movement from the river to Eckerts Creek anabranch system on the Katarapko Floodplain. These works will address this with the replacement of the existing regulator with a new regulator and fishway as well as a new box culvert structure under the access track.

The cost of these works is \$4 million, exclusive of GST. The works proposed in both these projects are due to occur in the first half of this calendar year but are dependent on contractor timeframes and water flows of the River Murray. Given the straightforward nature of these works and the total cost of the project being \$8.9 million exclusive of GST, the committee agreed that the written submission provided sufficient information regarding the project and no verbal evidence was required.

The committee has previously resolved to determine on a case-by-case basis if it needs to hear further evidence on projects valued at under \$11 million. In this case, the committee was pleased with the submission. Given this and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Mr WHETSTONE (Chaffey) (11:17): I too rise to support the 538th report, titled 'Inlet regulating structures on Margaret Dowling Creek and Eckerts Creek'. Obviously, I have a great interest in these two environmental works, being in the electorate of Chaffey. These two sub-projects are part of the bigger picture with the implementation of the Murray-Darling Basin Plan. These structure upgrades are really about, I would not go as far as saying goldplating structures, but there are current structures in place that are working okay. They are a little leaky and they have been put in place by irrigators and some of the environmental sectors of government departments.

What we are going to see now are greater flows of environmental water going into assets along the river, and if I talk about the Margaret Dowling Creek structure, that is part of the bypass. Some people in here would understand that most of the structures in the Murray River (the locks) have a bypass around them, so the Margaret Dowling structure is about the bypass around Lock 5 at Renmark. That is a connection into the Pike River floodplain, which is a very large environmental asset that has seen quite a bit of salinity build-up and degradation over a long period of time.

The Commonwealth Environmental Water Holder is now going to allocate water into certain areas of environmental significance. To be able to put water in there efficiently and in a constructive amount of time, we need to upgrade those structures so that they can handle the extra force and extra water. The Margaret Dowling Creek structure will go up from 150 megalitres a day to 600 megalitres a day. That is really increasing the amount of water per day, or the flow-in to that area, fourfold. Some of those rock wall structures and other lesser barriers or constraints will have to be upgraded, and this is what this Margaret Dowling Creek structure is all about.

It is a \$4.9 million (GST exclusive) project, and will mean that they can put water through the Margaret Dowling Creek entrance into Pike Creek much more quickly and efficiently. It will help with native fish—sadly, it will help with carp as well, but I think the federal government are doing a pretty good job at trialling the herpes virus with the eradication of carp. That is another part of the jigsaw puzzle with these environmental regulators. We have to have good environmental management around these structures so that they benefit the ecosystem and all the water that has been given up by irrigators and their communities for the benefit of the environment so that we have a sustainable river system.

I just want to touch on the Eckerts Creek project, which is at Katarapko. Katarapko is also the bypass around Lock 4. As I said, some of the older rock walls are already in place, but the increasing pressure, particularly at Katarapko, from 60 megalitres of water flow a day up to 633 megalitres a day will mean that it will put a lot more pressure on these structures and walls. That is why we are converting them to concrete structures. These will need much more strength and much more management around them so that they do withstand the extra flow, the extra pressure, and that they do benefit those environmental areas.

Obviously, Katarapko and Pike Creek are great pieces of the puzzle. We have seen Lock 6, which is the Chowilla project, which is a huge structure put across the Chowilla Creek. That is the first of the major structures in South Australia. We look at Lock 5, which is the Pike River floodplain, and we look at Lock 4, which is the Eckerts Creek. I am hoping that we will see the other structures come into play. In Lock 3, we have Banrock Station, who are the regulators there. We have Lock 2 down at Hogwash and Taylorville, and then we move further down to Lock 1; there is the bypass there.

All of these structures need to be upgraded, and these first three are just many parts of a big puzzle in South Australia to make sure that the environmental water is utilised efficiently. I think the most important part of these two projects is that we see that very valuable resource, River Murray water, put into environmental assets quickly and efficiently to benefit fish and the ecosystem around those structures (most notably, the river red gums, black box trees and the lignums), and all of the wildlife.

The \$4 million price tag on the Eckerts Creek structure is, of course, commonwealth funding that has come into South Australia. I look forward to seeing all of these structures being upgraded. I would also like to note that I would like to see some more will by the state government to lobby the commonwealth government to look farther afield than just the easy concrete structures around our lock system. We need to look at environmental works, measures and structures, particularly at the Lower Lakes—

Mr Pederick: Hear, hear!

Mr WHETSTONE: I know that the member for Hammond would 'Hear, hear!' that, because we see too many government decisions take the easy option and not take the hard line about how we can use environmental watering to benefit our Lower Lakes system. To date there have been almost no environmental works and measures down at those Lower Lakes. My fear is that when we do have another dry, when we do need to go to our Eastern States counterparts as part of that four states basin group, we need to have a look at how we can best use water flows to benefit South Australia, to show the nation that we are proactive, rather than talking about being proactive and achieving very little.

The interconnector between Lake Albert and the Coorong is something that I think will be a great asset. We need to look at structures at the Murray Mouth. We cannot continue to rely on river flows to scour the mouth and keep it open. We have to look at how we can use the power of the ocean to keep that mouth open. That is something that I will talk more about later, because I am, I guess, coming away from the Eckerts Creek and the Margaret Dowling structures.

I think that as a state we need to be more proactive, we need to be more accepting that there are environmental works and measures that need to be achieved that are currently not on the government's agenda. We need to look at the structures on the sea side of the Murray Mouth, and we need to look at interconnectors between Lake Albert and the Coorong to achieve good environmental outcomes with no extra water. I think that is the most critical part of the message I am trying to get across here.

At the moment, these structures require extra water to get our outcomes, but the further we go down the river the smarter we have to be. I think the government needs to stop sitting on its hands and look at the big picture when we do have another drought, because whether we have a desal plant or whether we have stormwater capture, we need environmental works and measures and structures to be smarter, and we need them to make our environmental and our assets here in South Australia more reliable. So I do commend the 538th report to the house and look forward to more contributions.

Mr PEDERICK (Hammond) (11:27): I want to make a brief contribution to the 538th report of the Public Works Committee regulating structures on Margaret Dowling Creek and Eckerts Creek. These structures will certainly be of benefit in the management of systems and environmental management right throughout the Murray, but as the member for Chaffey has indicated, we need to manage all of that water wisely because there is only so much of it. It has only been a few years since the millennium drought broke in September 2010 and it was a great feeling to see that muddy Darling water flowing into the river, because that was the first lot of water that relieved the situation for the River Murray in my electorate, when the water level had dropped by approximately two metres.

Certainly, with all these structures in mind and any water planning, we need to make sure that we make absolute use of the water, whether it is for critical needs, human needs, whether it is for the environment or indeed whether it is for food production, which is also vital. Considering the perilous state of mining at the moment in this state—and I am sure it will come back—we are so much more reliant on agriculture, as we have been since the settlement of this state.

There were a couple of things that the member for Chaffey related to, and certainly I am one who is very keen on an interconnector between Lake Albert and the Coorong. There needs to be a full environmental impact statement completed so that we can see whether there is any negative impact on the Coorong if some sort of connector is put in place.

I personally think that the figure quoted of around \$20 million would be a much better amount of money to be spent on the actual structure. There is a bit of debate about how the structure should be made, whether it is a channel so you can promote tourism as well (which is a good idea) or a pipeline affair that can be regulated—but a channel could be regulated as well with a lock arrangement. It is the idea of the minister in the other place, minister Hunter and his department, that they can freshen up Lake Albert with an unregulated flow of water.

Now, I cannot remember when the last decent slug of unregulated water came down the river but things are dry. There have been some rains over January and certainly early this month in sections of the basin, but one thing I will certainly never forget from the millennium drought was how long it took to wet up the catchment before water of any amount flowed into the system. It took gigalitres and gigalitres of water right across the basin just to get it damp again so that we would have that run-off into the system.

The thought that, because Lake Albert is a terminal lake, you can bring hundreds of gigalitres of water at a time and do some flushing through the Narrung Narrows, I think, is completely flawed. It is completely flawed on a number of levels because it uses far too much water. And even though we have the department and the minister saying, 'Oh, that will be unregulated water', it is also not a good look in the overall management of water for the whole basin because at the moment we see producers and users right along the system giving up water with buybacks and other measures so that we can get the Murray-Darling Basin Plan in place.

It is a good thing that that is happening but it is affecting right across; and, whether it is right or wrong, certainly the perception of having to use hundreds of gigalitres of water to flush out Lake Albert is not a good one and certainly not a good one for our state because we need to look upstream and work with all of our upstream neighbours, Victoria, New South Wales and Queensland, and getting the right result for the whole river system.

Certainly I would endorse the comments of the member for Chaffey in looking at a decent regulator system for the connector for Lake Albert through to the Coorong, but also we need to be looking forward. I know there has been some preliminary work done on how the barrages are managed, and that work should be accelerated, I believe, because we need to have fully automated Torrumbarry-style weir gates down there that could be operated, perhaps, by a mobile phone from anywhere in the world if need be instead of what is there at the moment which is a stop-log process and which would have to either be pulled out or put back in.

As we saw during the millennium drought, those stop logs were leaking and there were many methods, such as poly pipe and plugs, used to try to plug the gates because when they were built they did not think that they had that much pressure from the ocean side trying to get into the fresh side of the system, and there was a lot of salt water that leaked in.

We need to have a far better system to preserve the finite fresh water that we do have and to make sure that we have a fresh system. Overall I endorse any of these works so long as they manage water in the appropriate manner because everyone in the system is deserving of getting a fair go—so long as the water, when it is used and what can be reused many times coming down the system, can be used in a wise manner so that everyone gets their fair kick. The environment needs a kick and the critical human need is absolutely vital but also we never can forget our agricultural production.

Ms DIGANCE (Elder) (11:33): I would like to thank both the member for Chaffey, being the local member and also a member of the Public Works Committee, and the member for Hammond for both their contributions to this important debate. With those few words, I would also like to thank the committee and the staff of Public Works Committee, and I recommend this report to the house.

Motion carried.

**PUBLIC WORKS COMMITTEE: WELCH AND WATERPORT ROADS ROUNDABOUT
HINDMARSH VALLEY**

Ms DIGANCE (Elder) (11:33): I move:

That the 539th report of the committee, entitled Welch and Waterport Roads Roundabout Hindmarsh Valley, be noted.

On the Noarlunga to Victor Harbor Road it is proposed to realign the Welch and Waterport Roads and construct a roundabout to improve safety at this currently staggered intersection.

Over the past six years (being 2008 to 2014), 20 crashes have occurred at this intersection, three-quarters of which have been right-hand manoeuvre incidents. It is proposed to construct a single lane roundabout at the intersection realigning Waterport Road to meet Welch Road. Road lighting will also be improved as well as upgraded line markings and signage. The existing speed limit of 80 km/h will remain.

Consultation has occurred within the local community and council as well as the immediate neighbourhoods, including Urimbirra Wildlife Park, which is adjacent to this area that we are talking about today. A sheltered right-turn slot will be provided to access the wildlife park that is situated adjacent to this intersection. Construction is due to be undertaken between January and June 2016 at a cost of \$434 million, exclusive of GST. Given this, and pursuant to section 12C—

Mr Pengilly interjecting:

The DEPUTY SPEAKER: Member for Finniss, it is not necessary for you to interject.

Ms DIGANCE: You can have your turn.

The DEPUTY SPEAKER: No, don't respond. Your turn is to speak now.

Mr Pengilly interjecting:

The DEPUTY SPEAKER: Member for Finniss, I will call you to order under 131, or you can leave the chamber, whichever suits you best. Member for Elder.

Ms DIGANCE: Given this, and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

The DEPUTY SPEAKER: Now you would like to speak, member for Finniss, and I will make sure you are listened to in silence.

Mr PENGILLY (Finniss) (11:35): I was actually trying to assist the member for Elder. It is \$4.34 million, not \$434 million.

The DEPUTY SPEAKER: That is okay: you have your chance to correct that now.

Mr PENGILLY: Obviously, this is a step in the right direction. I have been pursuing this outcome for a number of years so I am very happy that it is actually happening and it is happening now. There is a substantial amount of equipment necessary that is in place down on the corner and it will be happening over the next few weeks.

The member for Elder referred to the crashes, which brings on the bigger issue of Main South Road from Adelaide to Victor Harbor. I seek some major works on, particularly, the Cut Hill section, for a start. A lot of the road is not too bad because it has had considerable work done on it while I have been a member but the Cut Hill section still leaves a lot to be desired.

I was pleased when the section we are talking about today was reduced to 80 km/h. One of the major causes of accidents was the fact that it was still 100 km/h through there, but it would not matter whether you had a speed limit of 20 km/h because there would still be accidents there. It is a bad piece of road and it is a bad junction, and this will go a long way towards fixing it up and making it far better.

We have quite a number of older drivers in that area who use that road a lot. I know that it is very easy to have an attack of the nervous Nellies if you are trying to cross from Waterport through

to the bypass, so I look forward to that project's completion. It was a simple project for the Public Works Committee to look at but it is a good project. It is \$4.34 million.

Ms DIGANCE (Elder) (11:38): Thank you to the member for Finniss, on many fronts. Thank you for your input as the local member: I know this project was of extreme importance to you. As a member of the Public Works Committee, you were able to ask the questions that represent your electorate very thoroughly. Thank you for your correction on my issue to do with the dollar amount for this project.

I also thank other members of the Public Works Committee, all those who support the Public Works Committee and those who came in and gave evidence. It is certainly a very worthy project and I think we will see some good results from it, and I recommend it to the house.

Motion carried.

PUBLIC WORKS COMMITTEE: RESCUE RETRIEVAL AND AVIATION SERVICE BASE

Ms DIGANCE (Elder) (11:38): I move:

That the 540th report of the committee, entitled Rescue Retrieval and Aviation Service Base, be noted.

The SA Ambulance Service and MedSTAR are operating out of leased facilities located at Adelaide Airport. These facilities are not located in close proximity to the rotary-winged emergency response aircraft area. In addition, staff are currently accommodated across two buildings which are not purpose-built, with the training facilities housed in temporary buildings. This setup is not conducive to operational efficiencies and response times can be as long as 15 minutes due to staff needing to travel around the airport on public roads to access the aircraft. This can be potentially longer during peak periods. Given that the international standard for this type of response is five minutes, there is an urgent need to address this issue.

Adelaide Airport Limited, in addition, is not keen to renew the lease for these facilities at their current location. This provides a great opportunity to construct new purpose-built state-of-the-art facilities with access directly to the apron located adjacent to the rotary-winged leasehold area behind Harbour Town on Sir Reginal Ansett Drive. This will reduce response times to around two minutes—a big variation. It will also be adjacent to the new Royal Flying Doctor Service facility.

Adelaide Airport Limited is very supportive of the project. This project is in line with the Adelaide Airport Limited master plan which supports the co-location of these facilities and services. The new facility will be a two-storey purpose-built rescue retrieval and aviation base incorporating administrative office space and specialised training facilities to support skills development, crew amenity and rest facilities, undercover ambulance rescue and retrieval vehicle parking, as well as command centre vehicle parking. The car parking for staff and visitors to the facility will also be taken into account.

The storage facilities are to be located adjacent to the apron as well as the vehicle bays to allow for direct access to the apron for loading equipment and supplies, and fast evacuation of patients. The cost of the project is \$12 million (GST exclusive). The aim is to start construction of the new building in June 2016, but this is subject to the internal planning approval of Adelaide Airport Limited. The project should take around 12 months. Given this, and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Mr PENGILLY (Finniss) (11:41): Clearly the opposition was most supportive of this project. As someone who uses the airport as much as anybody in this place, I have a fair bit of time to look out the window and see what is going on there, and incorporating these projects together behind Harbour Town will be a much superior product to what is there at the moment. It is necessary to upgrade those facilities and to have quick access for the services that use it.

I know country members in this place are cognisant of the rescue helicopters, the Royal Flying Doctor Service and the rest of it that comes into our electorates on a regular basis, so this will be helpful to everybody. It will make it much easier for the staff involved in the various enterprises to have better facilities; it is going to be pretty much state-of-the-art. It seems as though we dealt with this about six months ago quite frankly in the Public Works Committee, it has taken that long to get

here. It will be good and it will put us out in front as far as those services that are required in South Australia for some foreseeable time.

Ms DIGANCE (Elder) (11:43): Thanks to the member for Finniss and other members of the Public Works Committee. This is indeed an exciting project. I think the proposal of the efficiencies to be gained for these services from this project are enormous, particularly the response time going from 15 minutes to two minutes which is exemplary. I recommend the report to the house.

Motion carried.

NATURAL RESOURCES COMMITTEE: ANNUAL REPORT 2014-15

Adjourned debate on motion of Hon. S.W. Key:

That the 107th report of the committee, entitled Annual Report 2014-15, be noted.

(Continued from 2 December 2015.)

Mr TRELOAR (Flinders) (11:44): I rise to speak today to the 107th report—the annual report 2014-15 of the Natural Resources Committee of this parliament. In reading the report now in the first half of 2016, some of this seems a long time ago. I would like to thank the committee for all the good work that they have been involved with, particularly the member for Ashford who chairs this committee capably and with fairness. The members for Kaurana and Napier, the Hon. John Dawkins, the Hon. Gerry Kandelaars and the Hon. Rob Brokenshire, and I, make up this committee. That committee remained intact through 2014-15 but, as of the beginning of 2016, we will see a new face on the committee because, of course, the member for Kaurana has resigned his position. I understand a replacement is yet to be found, but I look forward to working with that person, whoever it might be. We do believe that—

Mr Pederick: The member for Elder.

Mr TRELOAR: —it could well be the member for Elder, so there you go. You find out a lot of things when you are on your feet. Of course, member for Elder, we do believe we are the hardest working of all the parliamentary committees, and that comes to light on reading this report. Not only are we undertaking a significant inquiry at the moment with regard to fracking in the South-East but we have also made a number of regional visits. One of the tasks we have set ourselves through the life of this parliament is to visit all of the state's NRM regions, and I know we have a couple more visits planned this year.

The visit that is covered in this particular report is the visit to Kangaroo Island. As I said, it all seems a long time ago, but it was a rewarding visit. It is some years since I have been to Kangaroo Island, so it was good to get back and see how well that landscape is managed. It is a credit, obviously, to the landowners, the NRM board—

Mr Pengilly: The local member.

Mr TRELOAR: —the local member—indeed, member for Finniss—and probably the local council. I have said in this place before how critical it is for our landscapes and our environment to be well managed, not just for its environmental benefits but also for its productive capacity, because our primary producers, our seafood producers and our farmers all rely on a healthy landscape for their business and, ultimately, to make a contribution to this state's economy.

I will also mention that in that period of 2014-15 Mr David Trebilcock retired and was replaced by Ms Barbara Coddington, who has taken on the role as the research officer and has really been thrown in the deep end, I guess, with our inquiry into fracking. Thank you to David for his contribution. Patrick Dupont remains on that committee, providing valuable support to us. I mentioned the inquiry into fracking. The terms of reference include:

...inquiring into potential risks and impacts in the use of hydraulic fracture stimulation (Fracking)—

there are a number of ways of spelling that—

to produce gas in the South-East of South Australia and in particular:

1. The risks of groundwater contamination;

2. The impacts upon landscape;
3. The effectiveness of existing legislation and regulation; and
4. The potential net economic outcomes to the region and the rest of the state.

This inquiry created a lot of interest. It is a timely inquiry and, ultimately, the committee is hoping to hand down a final report sometime around the middle of this year. There have been 75 separate submissions thus far and 32 witnesses at 10 public hearings both in Adelaide and the South-East, and a couple of our other regional visits were to the South-East.

We have statutory obligations under the Natural Resources Management Act, which we look to fulfil. One of the functions of the committee is to review all the NRM reports and levy proposals, and that is going to be addressed at a later time in this place. However, I thank all the NRM boards for making themselves available to the committee, providing good reports to the committee and taking their obligations very seriously also.

With that, I will commend the report and say once again how much I enjoy working on this committee with the other committee members. I was actually a member of the inaugural Eyre Peninsula Natural Resources Management Board. I had a long history in Landcare and soil board activity prior to that, so it is a subject that is very dear to my heart, and I look forward to continuing the good work of the Natural Resources Committee.

Mr PEDERICK (Hammond) (11:49): I rise to make a contribution in regards to the Natural Resources Committee Annual Report 2014-15. For the important sake of disclosure in regards to natural resources management, my wife is an environmental scientist.

The Hon. L.W.K. Bignell: A very good one, too.

Mr PEDERICK: Absolutely; and she helped with the inaugural INRM, well over a decade ago, I think it was—I do not have the exact time lines—in setting that up. She can speak for herself, and she may have a different view of the world now.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr PEDERICK: I must say, natural resources management in this state has changed dramatically in that time. I think the problem we have got at the start is that there is so much bureaucracy involved, and I think a lot of it has got to do with the act from 2004. Certainly, if it was up to me I would have the whole act repealed and redone, because the frustration that I see, and certainly what many members of the public, many landholders and people out there see, is staff rewriting reports every few years, as they have to under the legislation, as they must. It is an absolute frustration to real people on the ground, wondering what the heck natural resource management and all their staffing structures actually do for the management of natural resources in this state. I am only echoing the frustrations of many, many constituents who talk to all of us about their issues with that.

Certainly part of that is in relation to the raising of levies. I know that some of the members have spoken to the committee, and I thank the presiding member, the member for Ashford, being very accommodating for some of us to present to the Natural Resources Committee in regards to levies; but there certainly is a lot of angst about proposals for a significant increase in levies that will have a severe impact on landholders. Essentially, these levies are to plug millions of dollars worth of what the government calls funding gaps in the environment department. This is where it all gets ridiculous.

My initial feeling of natural resources management is that it was supposed to be a step away from government, but now it has been absolutely taken over by government with all those 300-odd staff involved in natural resources management essentially being made government staffers and part of the Department of Environment, Water and Natural Resources. I think the whole process, especially with what is happening, has completely lost its way, with the government deciding that it will just use natural resources management as an excuse to fund operations that should be funded out of the budget. There are many distraught levy payers that are not very happy about these proposals into the future, and I can certainly sympathise with them.

What I will say, though, is that I think the Natural Resources Committee of the parliament does great work. I think they do great work, especially under the chairing of the member for Ashford. She is a very approachable person, especially when you want to bring something to the committee or have a discussion on the side about things that could be done or other things related to natural resources management; so I really thank her for the connection that people can have.

We do have to manage our natural resources, but out there in the greater sphere there needs to be a better tool to do it and there needs to be an absolute better way. Obviously, with this annual report of 2014-15, NRM levies are discussed and set, and some of these are well above consumer price index rises, some are around the same and some—not very many—are slightly below CPI increases.

I note the big inquiry into fracking and, as I have said in this place before, I was involved in the oilfield industry over 30 years ago in the Cooper Basin in the shooting of wells before they were fracked—it was part of the fracking process—so I know a little bit about horizontal fracking. I know it is a bit different from the high-volume fracking, which is the coal seam gas variety with directional drilling which is being investigated in the inquiry, along with standard horizontal fracking.

Operations and technology have changed a lot since 1983-84 when I was involved in the industry. One thing I will say is that if people do not want to see the price of gas double in this country they will not want to ban fracking from the whole state because the Cooper Basin has been fracked for many decades—close to 50 years—and some wells have been fracked on multiple occasions.

In regard to other inquiries that the committee has had, regarding aquaculture, I think there is a lot of great work that is being done and has been done in aquaculture. It is a very delicate field; it is a field that some people have delved into, and it is a worse gamble than farming. They have poured hundreds of thousands of dollars in and lost it all, and accrued debt as well and had to walk away. However, I have seen some really successful projects. There was one in the Riverland only a couple of years ago that I visited that looked to be quite a successful project, but it needs real management. You cannot just walk away; you have pumps and water quality control. It can be done but you really need to look after that asset that you have.

As the member for Flinders said, the committee had a trip to Kangaroo Island around aquaculture, and certainly briefings with the committee have involved discussions around fish stocks. There was the Department of State Development's response to the 91st report of the Natural Resources Committee which involved the Whyalla visit; and there was also a briefing on Christie Creek and the Southern Expressway.

I want to make a couple of brief comments about fish stocks. We have seen the implementation of marine parks in recent times and what troubles me, and the Minister for Agriculture will not agree with me, but I certainly believe the environment department are taking over the management of our fish stocks from Fisheries. The fisheries in South Australia have been extremely well managed for many decades, and I think it is just another level of interference that we do not need in what has happened with the botched marine park process.

What we now see, within a very short amount of time, is that there are going to be new quotas set for recreational fishers. I was involved in this discussion, and I think the Hon. Gail Gago was the minister, about three or four years ago, and I had discussions with Professor Mehdi Doroudi, and he does great work, and we came to some middle ground eventually as to where those numbers would be, and I was pleased to get a win at the time for recreational fishers.

Notwithstanding that, it is like everything, we do need to make sure that everything is sustainable. But if you are going to make sure that things are sustainable in the ocean you have to look at the whole picture. You have to look at the predators and you have to look at the seagrasses—a whole range of issues that need to be taken into account. It was interesting to note that there were not any marine parks off the coast of Adelaide where most of the recreational fishing takes place, so you can take that for what it is.

The one thing I would be really interested to know is what research has been done into the impact of the 100,000 long-nosed or New Zealand fur seals that are present in our South Australian waters that are consuming 400 tonnes of fish a day. That is not a small amount of fish; that is ten

B-double loads. So just get that picture in your head. That is a huge impact on our fish stocks, and I believe it is having an impact, and not just other forces at play, whether it is commercial fishing or recreational fishing. It is certainly something that needs a lot more research because otherwise we will see the demise of stocks like whiting and garfish, and it will be just like all the little penguins around our coastline.

Debate adjourned on motion of Mr Whetstone.

Bills

CONSTITUTION (APPROPRIATION AND SUPPLY) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 9 February 2016.)

Mr KNOLL (Schubert) (12:01): I rise today to follow on from the member for Bragg's contribution, which finished right on the stroke of the end of yesterday's sitting. I want to start off with a quote, as we are dealing with the Constitution (Appropriation and Supply) Amendment Bill. I am not one for looking at Catholic or religious history, but I stumbled across this quote, which I feel is quite appropriate. It is a quote from Lord Acton I. He made this statement in April 1887 and it goes as such:

I cannot accept your canon that we are to judge Pope and King unlike other men, with a favourable presumption that they did no wrong. If there is any presumption it is the other way against holders of power, increasing as the power increases. Historic responsibility has to make up for the want of legal responsibility. Power tends to corrupt and absolute power corrupts absolutely. Great men are almost always bad men, even when they exercise influence and not authority: still more when you superadd the tendency or the certainty of corruption by authority. There is no worse heresy than that the office sanctifies the holder of it.

Essentially, Lord Acton was responding to a papal doctrine of infallibility at the First Vatican Council. I am going to say it was Pope Pius IX—

The DEPUTY SPEAKER: The 9th?

Mr KNOLL: IX is nine, isn't it? There was a doctrine of papal infallibility put forward that basically said, 'This bloke is above the law, this bloke is above rebuke, and essentially he can do no wrong. He should not be questioned.' It is amazing that this bill before us today gave me impetus to seek out this quote, because I see so many parallels between what Lord Acton was fighting against then to what this bill has before us today. I know that may sound a little bit extreme and hyperbolised, but I do think that it is extremely valid.

Essentially, what the government is seeking to do here is create a sense that they are infallible, to basically recognise into law the fact that that pesky chamber known as the Legislative Council should not get in the way or should not even have any opportunity to get in the way of what the government is seeking to do when it comes to spending taxpayers' money. I find that notion absolutely reprehensible. The fact that we are even debating it here in this chamber today I find absolutely disgusting, and I think, if the people of South Australia were to really engage with and understand this concept, they would find it dangerous. They would find this concept extremely dangerous.

I think this bill comes as a result of recent history. I think that, with the past 14 years of Labor government and the past 14 years of a consistent government where you have had both the Attorney-General and the Premier in government since 2002—and certainly at least the Premier a minister since 2002—you find that, after a certain period of time in power, people find opposition to their whims and wishes become more and more irritating to them. So, it only seems quite fitting at this point, after having won their fourth election, that Labor decide, 'Well, we must be gods. We must be infallible; therefore, any risk even to the fallibility of our decision-making should be put aside.'

The provision as it currently stands in the Constitution Act is a key check and balance against the tyranny of unfettered power. It is essential to the separation of powers, and it is essential to our democracy. What is seeking to be changed in this bill is the fundamental balance between the executive and the parliament. We have a sovereign head of state, and she is a great lady whom I

admire very much. Her representative in South Australia, Governor Hieu Van Le, again is a man who I think we all in this chamber respect immensely. Certainly, every interaction I have had with him has been one where I have come away impressed and humbled by the wisdom and the generosity of spirit of the man.

We in this chamber and those in the other chamber are elected to represent the people of South Australia. We are the supreme lawmaking body of this state—not the executive; the parliament—and the Constitution Act specifically provides for this. That is exactly why I find this bill so disgusting.

The next point I make is that there has never been an instance where the current convention to block a supply bill has been used. Never in South Australia have we seen an instance where opposition and minor parties have banded together to stop the government from putting through a consolidated appropriation bill to take money from the Consolidated Account. Indeed, the government does not even like the fact that even though it has never been done, there is still a risk that it could be done. Can I tell you how important and fundamental that risk is to the check and balance on the unfettered power of the South Australian Labor government.

What scares me is to think of the reverse of that argument: if this bill was to pass into law, what scary propositions have Labor got in their back pocket that they are so desperate to put through the parliament that they do not think they could get consensus for in the upper house? I am scared to think about what sort of crazy ideas and what crazy new taxes they want to think up without taking them to the people of South Australia. Why do they feel that they need to get rid of this provision in the Constitution Act so they can just ram through this thing after a month of it sitting on the Legislative Council *Notice Paper*?

I would like to point out some inconsistencies in the second reading speech of the Attorney-General which I will be pursuing. He talks about the fact that the current provisions are split into two, where there are appropriation bills that appropriate money for some purpose that has been previously authorised and then bills for purposes other than have been previously authorised.

Essentially, he is saying that some bills just say, 'Hey, we have spent money before and we are going to continue to spend it,' and others say, 'We are going to spend money in a new and different way,' or 'We are going to raise money in a new and different way.' Essentially, those two things are split. The second reading speech goes on to say:

...since at least 1981, the annual Appropriation Bill provides for appropriations both for previously authorised purposes, and for purposes not previously authorised...

That may be true. I would like the Attorney-General to tell us, since 1981, when a consolidated appropriation bill was not put through the house. I mean, if it has not happened in 35-odd years, why is it going to happen now?

The other point I would like to point out is that this straw man in this second reading speech is the weakest of strawmen I have ever seen. There is nothing stopping the government from splitting out appropriation bills into those two categories. There is no reason that we cannot have two appropriation bills—one for previously authorised and one for other than previously authorised—and split those two things out—absolutely nothing. If they did that, all previously authorised expenditure would go through as per the Constitution Act. This straw man that the Attorney has sought to put up bears no scrutiny and is blown down with the weakest of puffs. Indeed, a wheezing chronic asthmatic could blow over this straw man.

This bill is a manifestation of the worst elements of the Attorney's character. The Attorney is a man whom I have come to know quite well, and on certain occasions I see that what he does has merit. He certainly is undeniably the only bloke who actually puts any legislation through this place.

Mr Gardner: That's not usually a good thing.

Mr KNOLL: That's right; the merits of those bills can be debated certainly. The more I see of his character, the more I realise that he is a man who wants total control, who does not like to compromise, who sees his bills as works of art that are butchered by those in the other place, and a man who would seek to have his will presented, prosecuted and enacted unfettered, undeterred and unscrutinised. We on this side of the house will not stand for it; we will not stand for it. This public

should be scared of the arrogance of the Attorney-General and the arrogance of this government in seeking to put this bill forward.

This bill certainly has another agenda. As the member for Bragg pointed out in her speech, it has been the Labor Party's wish for a long time to get rid of the upper house. They realise that it is going to be fairly impossible to do it, although the 1922 resolution of the Queensland parliament for their second chamber to sack themselves with a lifetime indexed salary certainly prevailed there, and some, cheekily, in our Legislative Council have remarked that they would be open to a job for life.

The truth is that the government is not going to be able to get rid of the second chamber, so what they are seeking to do is, 'If we can't get rid of it, let's neuter it. Let's make it impotent, let's make it no longer the house of review that it is there for. Let's make it so that it exists, but if it doesn't rubberstamp what we feel like we are just going to bypass it anyway.' That is disgusting and that is reprehensible.

The other point that I would make is that there have been a number of examples where opposition and minor parties have banded together to stop certain taxation measures. In my lifetime in this place, the only one that has come forward is the car park tax, or the transport development levy, because certainly a tax by any other name would smell as sweet, smell so sweet—I have to get my Shakespeare references better. The car park tax was actually not part of the Appropriation Bill; it was part of a statutes amendment budget measures bill. It was separated out into a different bill.

Certainly there is a difference between taxation measures and appropriation measures, but still, what happened with the car park tax is not an instance that this government can point to about why its agenda is being stymied. I do not accept that argument in the first place, because we went to an election; we went to the 2014 election. The government put the transport development levy to the people of South Australia. We as the Liberal Party opposed that measure as being just another blatant tax grab on a certain section of the South Australian economy, and 53 per cent of the people of South Australia preferred our plan to the Labor Party's plan.

Say what you want about winning the election—and we will have that debate in a subsequent bill—but the people of South Australia as a whole voted against a transport development levy. It was a clear point of differentiation between the two major parties, and 45 per cent of the primary vote and 53 per cent of the two-party preferred vote came to the Liberal Party. It was a ringing endorsement of our plan, and one of those measures was to stop any push to introduce a transport development levy.

That is the correct example of a mandate, where a majority of people vote for your plan and your measures. We were right to block the transport development levy, because we had a mandate from the South Australian people to do so. We would have been ignoring their wishes, as opposed to representing their wishes, had we chosen to do anything other than what we did.

Lord Acton certainly understood what we are seeing here in this chamber today, and in the same way that Pope Pius IX was not infallible and that the presumption of wrongdoing should be found against others instead of him, the Attorney-General should realise that he is not infallible and that the Legislative Council does not take his works of art and his masterpieces and butcher them; indeed, what it does is take his otherwise thought-bubble ideas—especially when we look at the Planning, Development and Infrastructure Bill—and seeks to make them into workable solutions.

We need the house of review to be able to do its job. We need the house of review to be more than just a rubber stamp so that it can actually have some influence over policy in South Australia and to make sure that all views in South Australia are represented. We, on this side of the chamber, whether it be today, tomorrow or 10 years from now, will continue to hold true to those values: that the parliament reigns supreme over the executive and that there need to be significant checks and balances so that we can ensure that examples like this disastrous Labor government are held in check and held in balance so that we can try to curb the various excesses that this Labor government wants to press upon the people of South Australia.

Mr WILLIAMS (MacKillop) (12:16): I will not hold the house very long because I have just been listening to my colleague and he has quite eloquently covered the points that I intended to make. I will just very briefly say that I am not too sure whether the government is serious about these measures that it has brought to the house. I have argued at length in this place, certainly since the

last election and probably not quite as vehemently prior to that, that a government in South Australia that falls into government because of an electoral system that perverts the will of the people can hardly cry foul that the parliament stands up for the people. When I say 'the parliament' it consists of two houses.

The government argues—and I have heard the Premier come into this place and say, 'We put our case and our plan for South Australia before the people and you put your plan before the people and, guess what? We are in government.' Guess what, Premier? You are only in government because of an electoral system that perverts the will of the people of South Australia. You would not be in government if we had an electoral system that delivered to the people the power to get rid of a government that they did not want. The people of South Australia have been trying to do that for at least two elections now. They have been trying to get rid of this government.

I would suggest that the Liberal Party and the minor parties and the Independents, particularly in the other place, are carrying out the will of the people of South Australia to a much greater extent than this government. For the government to come to the parliament and suggest that we take away powers from the other house such that it can ride roughshod over the people of South Australia as a result of an electoral system which is at the very best broken, I think is an outrage. I will not go any further but I just wanted to put on the record one of the reasons why the Liberal Party will continue to stand up for the people of South Australia.

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

A quorum having been formed:

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) (12:22): I will be fairly brief about this. Thank you to those who participated in the debate. This particular bill seeks to introduce a measure which is a very modest measure in constitutional terms to do with the maintenance of supply for any elected government, and put simply it basically would, if passed by the parliament and accepted ultimately by the people, mean that a constitutional event similar to the one that occurred in our national capital in 1975 would not be an event which could occur here.

Ms Chapman interjecting:

The Hon. J.R. RAU: Well, I actually have not been in this parliament for the last 40 years. Other states have, at various times when they have been having a look at their constitutional arrangements, I believe, dealt with this matter, and since we are opening up the constitution in any event it is a useful piece of housekeeping for us to just tidy up this matter as well. As I said, I thank all those who have participated and I hope that this relatively innocuous and positive piece of constitutional recalibration receives the endorsement of both houses.

The house divided on the second reading:

Ayes 22
 Noes 18
 Majority 4

AYES

Bedford, F.E.
 Close, S.E.
 Gee, J.P.
 Hughes, E.J.
 Koutsantonis, A.
 Piccolo, A.
 Rau, J.R.
 Wortley, D.

Bignell, L.W.K.
 Cook, N.
 Hamilton-Smith, M.L.J.
 Kenyon, T.R. (teller)
 Mullighan, S.C.
 Picton, C.J.
 Snelling, J.J.

Caica, P.
 Digance, A.F.C.
 Hildyard, K.
 Key, S.W.
 Odenwalder, L.K.
 Rankine, J.M.
 Vlahos, L.A.

NOES

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

PAIRS

Bettison, Z.L.	Goldsworthy, R.M.	Brock, G.G.
Sanderson, R.	Weatherill, J.W.	Pisoni, D.G.

Second reading thus carried.

CONSTITUTION (DEADLOCKS) AMENDMENT BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 15 October 2015.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (12:32): I rise to speak on the Constitution (Deadlocks) Amendment Bill 2015 which, again, was presented to the parliament with a bill titled Referendum (Deadlocks) Bill 2015 by the Attorney-General on 15 October last year at the same time as the bill that we have just considered was presented with its second reading contribution.

Essentially, this is a bill which provides for the Constitution Act 1934 to be amended to introduce a new system—new mechanism, according to the government—to resolve what they have described as persistent disagreements between the Legislative Council and the House of Assembly, what is otherwise known as a deadlock conference process which currently prevails when the houses disagree. Ultimately, if unresolved at that stage, the bill that is under consideration can then lapse. The government propose that we should have a new system in line with what they argue is effective and successful in the federal parliament.

The effect of the bill—if passed, and with the referendum bill process undertaken successful—would be to reduce the Legislative Council, and, in particular, its powers. The Constitution Act, in particular section 41, under the new mechanism, provides that if a bill is passed by the Assembly twice—once before and once after a general election—and is twice rejected by the Legislative Council, then a double dissolution can be called. For the record, there has never been a double dissolution in South Australia.

The bills introduce in this new deadlock mechanism, modelled on the commonwealth constitution, a brand new approach. If it is successful in the commonwealth arena one would have to ask two questions: first, what is deficient about the system we operate and have operated for over 150 years now, and, secondly, is there something that is superior in the federal structure for which we should advocate in reform of our own chambers to provide a better system?

Let us look first at whether there has been any failure. I think it is fair to say that the government's argument is that if these pesky houses of review—called the Legislative Council in our state—are going to interfere with the unrestricted progress of what the government of the day wants to advance, then they need to have their powers reduced. The threat is one where if the Legislative Council is to reject a bill, under the new process it is to be in some way intimidated into acquiescence on the basis that its members risk losing their positions if forced to go to an election.

That is the basis upon which it is to work. This is to be an instrument of threat; this is an instrument to warn the Legislative Council that if it does not do what the government of the day wants in the progressing of the government's bill—which, of course, will have the majority vote in the House of Assembly—then it is on notice that its members would lose their support at the following election.

The other aspect of this instrument of threat is that I think it is fair to say that the government is absolutely sick of crossbenchers and the opposition making statements about proposed legislation which they have formed a view is deficient or defective or simply not appropriate. From time to time the government of the day makes the decision that it is not going to even put forward a piece of legislation because it knows what is going to happen; it gives up, and puts those bills back into some dusty folder and thinks, 'Oh well, there's not much point even arguing about it because those pesky people in the parliament, the opposition with the support of the minor parties and Independents, are only going to obstruct it anyway.' That is the view it holds.

We have not had a double dissolution in South Australia, so I suppose we have not had the experience of whether, in fact, an election subsequent to the triggering event actually has the effect of diminishing the support to the obstructing party or parties.

We saw that in the 1975 events, which the Attorney has recently referred to in this chamber, when there had been the rejection of a supply bill. The government of the day—indeed, the prime minister—was outraged that the opposition should have the audacity to vote to reject the supply bill, on advice at the time of senior treasurer officials, I might say, who were extremely worried about the government proceeding with their loan from an international foreign entity, which is now called the infamous Khemlani loan. Therefore, they felt quite justified in rejecting the bill to avoid placing Australians into potential precarious debt and liability for a loan with an exorbitant (even for those days) interest rate repayment obligation.

We are not going to revisit all the events of that time but suffice to say when the opposition, led by the Hon. Malcolm Fraser (both of these parties have now passed away) said, 'I am going to the Governor-General,' and the process was enacted and an election was called. Far from Mr Whitlam being vindicated in his demand that his government should be entitled to progress its supply bill, in fact, there was a wholesale rejection by Australians and Mr Malcolm Fraser was elected as prime minister with a massive majority and a huge swing. Notwithstanding that there was complaint by the then prime minister, Mr Whitlam, that this was totally unacceptable, he stood on the steps of Old Parliament House in Canberra and issued his edicts of the day about how unconscionable that action had been, particularly of the Governor-General of the day, in allowing that process to progress and his issuing the writs for an election.

Quite the reverse happened against all of the outrage of unions and members of the Australian Labor Party who were marching in the streets outlining what they considered to be a travesty in the dismissal of the Whitlam government and the subsequent election. When the Australian voters came out to vote, they voted very strongly to endorse the then Liberal/National Party Coalition.

Perhaps it is a sobering lesson to governments that think by introducing a process upon which following the deadlock and the impasse between these houses of parliament that they are going to go off to an election essentially with the threat to those obstructers that they might be swept from office. They could take note from that very occasion in which quite the reverse happened. According to pollsters today, if the Premier were to advance this new model, advance a threat to the upper house and the upper house said no and then, if he went walking off to the Governor's office to seek that the writs be issued for an election, he might get a very big surprise. According to the current pollsters, he would lose an election.

Given his popularity or unpopularity in respect of his utter failure to deal with the shocking financial position this state is in at present, his abandonment (in my view) of the priority to protect children in state care and numerous other things that the Premier would have to defend if he went to an election, he might get a very big surprise. It may be a message to the Attorney-General in moving this bill: be careful what you wish for.

In any event, we are not going to rely on the Attorney-General's view in respect of the introduction of this process. We say it does not stand the scrutiny of what has occurred and, indeed, as I say, in the South Australian parliament we have not had a double dissolution in a circumstance where that could occur.

In any event, it is not easy for the Premier to go marching across to the Governor because, under our constitution, we now have fixed terms and only in very exceptional circumstances under

our constitution at present can an election be called on a different date. Sometimes that can be as a result of the commonwealth parliament—or I think, still, another jurisdiction—calling an election on the same day as our constitution provides for.

If we actually declare war on Victoria and we are in a state of military control or something, there are probably some other exceptional circumstances, but hopefully that will never occur and we are not seeking to subvert that. I make the point, however, that it has not happened. When one considers the commonwealth position, for all of the flexing of muscles of prime ministers—from the current one back, that I can remember—there is always this threat of potential double dissolution.

Sometimes it is to try to bring to heel some of the minority parties that the government of the day or the Prime Minister of the day may think are being obtuse in their resistance to what they claim to be a good government idea. Sometimes it is obviously to put some fear into the opposition of the day.

If I were to take even the most contemporary situation of the Heydon royal commission into unions having been completed and the commissioner's report being tabled and proposed legislation of the federal parliament to be considered, I think there has been a flurry of commentary in the national media about whether the legislation that is proposed in respect of purportedly assisting in the transparency and the integrity of union operations in the future is going to be effective, is appropriate or needs amendment or the like.

The media have covered the debate and different views that are out there, but I think it is fair to say that in that commentary, opinion has been expressed each way as to whether the government might exercise the opportunity to call for an election, call for a double dissolution, if it presents its bill and it is rejected in a form that is unacceptable to them twice and they go through the process of having an early election.

Can I tell you, I have heard it all before. To be honest, prime ministers have done it a lot on both sides of politics and I cannot remember a time when in fact they have actually done it. From time to time they have called elections a month or so before the deadline which they are obliged to do in their three-year terms, but they do not actually rush to the polls when legislation is rejected. In fact, I would go so far as to say that, to ensure that they do not even produce the trigger which will facilitate their capacity to be able to go down that track, they do not even present the bill a second time. So there are plenty of threats, but it does not happen.

Again, one must ask what the reason for this is. We have a good system that has effectively worked for South Australians and given them protection against unruly governments, with a parliament which genuinely must be accountable to them, not in its day-to-day operations, because we see them go off on a tangent all the time, but in its legislative obligations and expectations. To some degree, the government is at least accountable to the people's representatives in this bicameral system, and it works. Secondly, it has not been a tool which has been implemented at the commonwealth level to suggest that it is any better.

I say to the government: this is again another red herring; you have tried this before; it has been wholesally rejected; and, when you need to have a diversion tactic, you come up with this legislation again. It fits into the same category as the bill that we have just dealt with and I expect it will reach the same fate in the Legislative Council as prior presentations of legislation in 2005 by this government, in 2009 by this government, and it will happen again in 2016. Why? Because the government have not produced one scintilla of evidence or one example upon which there has been a change of circumstance to justify us going down that route.

For the record of this debate, in terms of considering legislation that has passed both houses of parliament, over the last 40 years, only an estimate of 1.6 per cent of government bills have been defeated or laid aside. The government is on notice that representatives from Family First and the Hon. John Darley have made public statements to indicate that they oppose this proposition and will oppose the bills. Why then are we wasting our time here in the parliament this week? Because the government has no other priority of agenda to deal with—important issues. It is incredible to think that we are not dealing with modern day, contemporary issues like how we manage revenge sexting, which was a topic of controversy in the last six months, and the fact that, unfortunately, our children have the potential to be captured on our sex offenders register.

The Attorney-General, on behalf of the government, has said, 'Yes, we have looked at this and we have got a bill ready, and we are looking at how we are going to remedy this,' but it is the second day of the parliamentary sitting and we have not heard a squeak from the Attorney-General about even notice to progress a bill to deal with this issue. It is a very real, very contemporary and very current problem, which the government knows about and purports to care about, yet it is our second day here and we have not even had notice given of that bill. That is why we are here dealing with this legislation: because the government want a diversion tactic. They have nothing else that they are prepared to advance on the priorities for them, so bring out the old chestnut, bring out the constitutional reform.

Given the progress of the previous bill, which has now been adjourned in committee, and given that the government has chosen not to deal with the referendum bill with it, and we are now moving to the second tranche of reform on the deadlocks—I am assuming, therefore, we are going to be moving into the two referendum bills subsequently, because they are on the *Notice Paper* to that effect—I am going to have something to say about the referendum bills when we ultimately come to those.

I mention that only because when I addressed the chamber on the first bill relating to appropriation and supply constitutional amendments I indicated that I was happy to make that contribution on the basis that we would be dealing with the two bills, that is with the complementary referendum bill as well, at the same time. That having not occurred, I will make some comments about it when that bill comes before us.

But can I say of this tranche of reform that I was very concerned to note that it now appears that in 2009 it was the view of the Minister for Investment and Trade that the legislation should be amended, and indeed the constitution, to have a process to reduce the power of the Legislative Council so that it could not reject what were then known as the supply bills, but that today it appears he has a different view. I understood from statements made by the minister to this chamber that he was an independent member of cabinet and that he had an agreement with the government which enabled him to act independently in respect of matters of his choosing.

Having expressed, in writing, his view in 2009 of undertaking an approach to meet with the Legislative Council to deal with legislation on the rejection of supply bills, to now come to this chamber with a different view I just find puzzling and it somewhat undermines, in my view, his alleged independence and, indeed, his capacity to ultimately support whatever it takes to maintain his position. Any view that the minister is exercising some independent thought has clearly gone out the window by the vote we just had in this parliament.

Nevertheless, with those few comments I indicate the opposition opposes the Constitution (Deadlocks) Amendment Bill 2015, and I will have something to say about the referendum when those bills are dealt with.

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

Sitting suspended from 12:58 to 13:59.

Condolence

FREEBAIRN, MR J.S.

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (13:59): I move:

That the House of Assembly expresses its deep regret at the death of Mr John Sydney Freebairn, former member of this place, and places on record its appreciation of his meritorious service, and that as a mark of respect to his memory the sitting of the house be suspended until the ringing of the bells.

It was with sadness that we recently learned of the death of John Sydney Freebairn, a former member for Light and the champion of the state's farming community. Mr Freebairn passed away at Alma, just north of Hamley Bridge, on 5 January 2016 at the age of 85. His funeral at the Owen Community Hall on 15 January was attended by many local people and former political associates, and he was laid to rest at the Alma North Cemetery.

Born on 31 July 1930, he was educated at Alma South School, Scotch College and the School of Mines. A true son of the Lower Mid North, he grew up and prospered on the family farm

and came into this place with a wealth of accomplishment and practical experience. For example, he was a justice of the peace and he had been a member and officeholder of the Wheat and Wool Growers Association, the Alma Agricultural Bureau and the Hamley Bridge hospital board.

At the general election of March 1962 he became the then youngest member of the House of Assembly by winning the seat of Light for the Liberal and Country League. In his first speech to this place he spoke about three topics that were and I am sure still are vital to people living in that productive part of the state. Those topics were water, power and roads. Mr Freebairn was re-elected in 1965 and 1968, and he held the position of parliamentary undersecretary in the premier's department for one year from April 1969.

In the lead-up to the historic 1970 state election he lost preselection for Light to Dr Bruce Eastick, who among other things went on to become the Leader of the Opposition. Mr Freebairn was a leading member of the Liberal Movement, the 'small l' breakaway from the Liberal and Country League that changed the face of conservative politics and the state's electoral system in the early to mid 1970s.

At the March 1973 election, when Legislative Council members still represented districts, Mr Freebairn unsuccessfully contested the district of Midland. The end of his parliamentary career and ambitions did not signal the end of his commitment to the community and state. For instance, Mr Freebairn remained a member of the Hamley Bridge hospital board until 1989, the same year he ended his decade-long period as the state director of South Australian Cooperative Bulk Handling. Being both a dedicated servant of the people of Light and an advocate for reform, Mr Freebairn was a hardworking and admirable member of this chamber.

On behalf of members on this side I extend my condolences to his family and friends, especially his wife Susan, his siblings David and Claire, and members of his stepfamily.

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:02): I rise to second the Premier's motion and speak on the sad passing of the former member for Light, Mr John Sydney Freebairn. On behalf of the state Liberal Party I would like to pass on my sincere condolences to his family.

John was a proud country man. The rich soils of South Australia ran through his veins from the moment he was born until his last breath. Born in 1930 to Thomas and Anne Freebairn, John was the eldest of three siblings. The Freebairns were descendants of a pioneer family in the town of Alma, 7 kilometres out of Owen. While Alma was a small town, this is where John spent his early years, attending school at Alma South Primary School and fully immersing himself in country life. He later attended Balaklava High School, Scotch College and the University of Adelaide, where he excelled before returning to farm the land he loved.

During his early years he completed training in real estate, welding, accounting and valuation, but he always described himself first and foremost as a farmer. John was a civic-minded man and, while some may have been content to make their living and tend their farms quietly, John involved himself in the community wholeheartedly. He took a prominent role as chairman of the Alma branch of the agricultural bureau and was an active member South Australian Wheat and Wool Growers Association and the Hamley Bridge hospital board.

John sought preselection for the Liberal and Country League in the seat of Light in 1962. Despite being only 30 years old at the time and up against a field of nine other mostly older men, John was successful. Newspaper clippings at the time remarked upon how the young, 'single' man from a 'pioneering family' would become the youngest MP in the parliament if elected. Naturally, he achieved this and entered the parliament as a fresh-faced country boy 20 years younger than most of his colleagues. During his maiden speech John outlined his commitment to his rural electorate of then 6,000 constituents, saying:

I thank the people in the Light district for electing me as their representative...I assure all sections of the community in Light and the electors, whatever their political views may be, that while I am their member I will cooperate with and assist them at all times.

John was known throughout his electorate as being a decent and humble man who spent his time visiting his constituents and, importantly, listening to their concerns. He was acutely aware of the pressures faced by our primary producers around electricity and water resources, and ensured that

the parliament was fully briefed about these issues at all times. During his time in parliament, John was a member of the parliamentary committee on land settlement and a parliamentary undersecretary.

While I did not know John personally, I was very pleased to attend his memorial service held this past Saturday at St Chad's Anglican Church in Unley. I attended this on behalf of the state Liberal Party. It was a great opportunity to meet many of his family and friends, and I was delighted at that funeral service to have the opportunity to meet with the former premier of South Australia, the Hon. Steele Hall, who was a very close personal friend of Mr Freebairn.

In fact, in that conversation, Mr Hall recounted with vivid clarity a trip that he took. He thought he was about 21 years of age when they got into a ute and drove all of the way to Sydney. He had some funny anecdotes which I do not think I will put on the public record, but it is fair to say they were very good friends at the age of 21 and remained lifelong friends, that is for sure.

John was twice re-elected to the seat of Light before being defeated in preselection on 30 May 1970. John was heavily involved in the Liberal Movement of the mid-1970s and ran unsuccessfully for the Legislative Council district of Midland in 1973. Following his defeat, John turned his attention to advocating for a reconciliation between the Liberal Movement and Liberal members. He understood inherently that we are better united than apart, and wrote passionately at the time that the parties needed to, and I quote, 'work together, and not against each other, for the common purpose of all non-Labor forces, which is to defeat Labor'. Hear, hear!

Following his parliamentary career, John remained dedicated and involved in the community he loved. He was a generous person, and he and his family donated land to the Alma CFS among many other projects. He was awarded a life membership to the Alma CFS and was awarded a national medal for his work in this area.

He was a director of the Red Comb Cooperative and the South Australian Egg Board and, during the eighties and nineties, was director of South Australian Bulk Handling Limited. He was active in a range of membership organisations, including the Royal Geographic Society of South Australia and, of course, the Caledonian Society.

John was a fellow with the Institute of Company Directors and a justice of the peace for many years. He was also an active supporter of the Coolibah Club which promoted the planting of trees across the state, and ensured that his own property and surrounding areas were also replanted on a regular basis.

In recent years, John could often be seen coming into Parliament House with his wife Susan, when they would often bring a guest into the parliamentary dining room. He was always very quick to say hello. He obviously loved this building, he loved this parliament, and it was very evident that he was very proud when he came into this building on an ongoing basis. I pass my deepest condolences on to Susan and to John's family. The regions of South Australia have lost a champion, and he will be missed. Vale, John Freebairn.

The Hon. A. PICCOLO (Light) (14:08): John Sydney Freebairn was elected to state parliament on 3 March 1962 for the electorate of Light at the age of 30. He won the LCL, or Liberal and Country League (the precursor to the Liberal Party) preselection when the sitting member, Mr Leslie Nicholson, did not seek re-election. John was re-elected to state parliament at the March 1965 and 1968 elections.

He did not contest the 1970 state elections, when he lost preselection to Dr Bruce Eastick, who was to win the seat and was later to become, in 1972, the leader of the opposition and speaker of this place in 1979 under the Tonkin government. John lost preselection partly as a result of changes to the boundaries of the electorate, which had to change—in those days, they probably reflected more closely Frome than today's Light—but also because of the internal difference within the LCL at the time, as he had aligned himself with the Liberal Movement, which represented the progressive faction within the party.

He did not take the loss sitting down, and in 1973 gained LCL preselection for the upper house seat of Midlands, where the Liberal Movement candidate overwhelmingly outpolled the other candidates. Dr Bruce Eastick was the leader of the party at this time. As mentioned, John was a

personal friend of Steele Hall, the then leader of the Liberal Movement. Speaking after the preselection ballot John said, and I quote:

A clear-cut win for a Liberal Movement-aligned candidate for Midlands preselection shows there is a spirit of change amongst LCL members.

I am not sure that he was quite right on that occasion. The LCL was not to win any seats in the Midlands district and John said, and I quote again:

The poor showing of the LCL candidates at the state election was due to the conservative image displayed by the LCL councillors.

Perhaps he had the late Ren DeGaris in mind when he said that. At the declaration of the poll John said:

The conservative attitude of the state executive of the LCL and the LCL members of the Legislative Council did not reflect the thinking of the rank and file members of the party and that the present four member electoral district was completely obsolete.

He said that it should either be turned into single member districts or that proportional representation should be introduced. If my memory serves me correctly, proportional representation was introduced at the 1975 election.

Born on 31 July 1930, John was the eldest of three children of parents Thomas and Annie Freebairn. As mentioned, he passed away on 5 January this year. With his brother David, who is in the gallery today, and sister Claire he was brought up at Alma and made strong connections and enormous contributions throughout this community.

He began his schooling at the Alma South Primary School in 1937. The school was about 5½ kilometres from the family farm, and John (and his brother David three years later and sister Claire six years later) cycled the 5½ kilometres to and from the school, except when it was wet, when Dad took them to the school.

On leaving Alma South, John spent one term at Balaklava High School, travelling by train from Owen and each day boarding with a family in Owen. He then spent four years at Scotch College, where he made many lifetime friends. He rowed in the Scotch Head of the River for two years. After Scotch he returned to the family farm. He played cricket for the Alma team until it was disbanded. He was, more importantly, also a member of the Gawler Apex Club.

He did a course in welding at the School of Mines in Adelaide and began improving the farm buildings, welding the frames and erecting numerous sheds. John was the president of the Hamley Bridge hospital board for many years and president of the Alma Agricultural Bureau, as well as chairman and secretary of the Owen Branch Wheat and Woolgrowers' Association. As mentioned, he was also a director of the Red Comb Cooperative and a member of the South Australian Egg Board.

In the 1980s and 1990s he was a state director of South Australian Cooperative Bulk Handling Limited. John was awarded a life membership of the Alma Country Fire Service and a national medal for his work in this area. More recently, though, he had been a member of the board of the Laura and Alfred West Cottage Homes, which provides housing to older people of low income; and I was privileged as the minister for social housing to officially open one of their homes in the northern suburbs.

During his youth he completed training in real estate, welding, accounting and valuation. He always described himself first and foremost as a farmer. His farming activities included tree planting around the property, and he was a supporter of the Coolibah Club which promoted tree planting across the state.

He also kept bees, as well as working in the farm enterprises of grain, sheep and poultry. He was a member of the Royal Geographic Society of South Australia, the Historical Society and the Caledonian Society and a Fellow of the Institute of Company Directors. He had been a justice of the peace for many years.

John first met his wife Susan when he dropped in to visit her and her then husband, David, at their Rosedale farm in February 1972. John was looking for support as a candidate for election to the Egg Board, and also hoping to try some of their homemade wine, I understand.

At the time Susan was teaching microbiology to the oenology class at Roseworthy, and at the time her cousin Andrew Pulford of Concordia Fruit Wines fame was developing his winemaking skills, so between them they created some very interesting and at times drinkable wines.

Susan spent the years from 1964 to 1970 in the UK so missed John's period in parliament. However, John took great pleasure in driving her around what was then his electorate of Light and telling her about all the wonderful people he had known over the years. He made a point of visiting every house and business in the electorate, and as their member had endeavoured to represent their concerns and assist in resolving their problems.

John and Susan's late husband, David Vigor, became close friends with common interests in farming, education and electoral reform. Political policy discussions became an institution around the dinner table, later becoming and being formalised into Liberal Movement party policy groups.

Susan's late husband, David Vigor, was a founding member of the Australian Democrats and became a Senator for South Australia in 1984. Losing his seat at the double dissolution in 1987, he worked to establish the Association of Former Members and Senators, as the life expectancy of former members was only five years at the time. John became the founding secretary of the Association of Former Members of the South Australian Parliament at the same time, and he and David travelled together to conferences in Australia and overseas to promote such associations.

John married Susan Jane Vigor on 3 December 2005, and Susan says that she and John enjoyed an enormously pleasurable time together. They spent winters travelling with their camper around Australia or overseas, where they met up with many friends and relatives and pursued their many interests. John was particularly interested in history and art, and they shared common interests in farming, wines and developing economies. For the last two years, unfortunately, John suffered from kidney failure, and dialysis occupied a large part of his time, but they continued to spend as much time at the farm as possible. The thousands of trees he planted there remain a beautiful memorial to his work.

John was modest and kind, engaging with people near and far, whom he met through his involvement in church, politics, community, commercial and social organisations, and through his travels and contacts with farming communities across the world. I only met John in recent times, when he visited the parliament building on a number of occasions, as the Leader of the Opposition spoke. I can attest to his modest and quiet demeanour, and his good judgement—he did actually at the time remark that I was doing a good job as the member for Light.

John will be sorely missed by Susan, his stepchildren and other family members and their many wonderful friends who are in the Speaker's gallery today. With Mrs Freebairn today are David and Margaret Freebairn (John's brother and sister-in-law) and Mrs Freebairn's sons Andre, Henri, Philippe and Geoffrey. Vale John.

Mr GRIFFITHS (Goyder) (14:16): I join with the Premier, the Leader of the Opposition and the member for Light in paying tribute to the late Mr John Sydney Freebairn, who served the people of South Australia in this chamber as the member for Light from 3 March 1962 until 29 May 1970.

There is a quote by Robert South: 'If there be any truer measure of a man than by what he does, it must be by what he gives.' John Freebairn was a man who dedicated much of his 85 years to the local community. Born to a farming family in Alma on 31 July 1930, John had a lifelong interest in agriculture and regional South Australia. Before he entered politics, John was an enthusiastic member of the Alma Agricultural Bureau, becoming their chairman in 1958, and his involvement with the Agricultural Bureau spanned decades.

John Sydney Freebairn was the youngest member of parliament in the House of Assembly when elected as the Liberal and Country League member for Light in 1962 at the age of just 30. In his maiden speech, John referred to the continuing era of progress and prosperity under the Playford government and his observation of the great change that had occurred in South Australia in progressing from a primary production state to a state with a significant industrial presence and a

strong and varied economy. John was a progressive by nature, later aligning himself to the Liberal Movement and his good friend Mr Steele Hall.

After his parliamentary career, John continued to be an active member of many organisations. Notable was his commitment and dedication as a Country Fire Service volunteer, with his long service rewarded with life recognition and the national bar. Sadly, I was lucky enough to meet John only once, about five years ago, but I distinctly remember walking away wishing that I had had a longer opportunity to talk to him, because I found him a very engaging and impressive man. I also note that John was a well respected member of the Freemasons Foundation and had worked hard to raise funds for charity, with a focus on men's health. On behalf of my family and the people of Goyder, my thoughts are with the family and friends of Mr John Freebairn. Vale.

Mr KNOLL (Schubert) (14:18): I rise too to add some comments on John Sydney Freebairn MP JP, who was born on 31 July 1930 in Adelaide. As has been said, John was educated at Alma South Primary School, Balaklava High School, Scotch College (where he never forgot his Scotch roots, supporting the college through the Grattton Society), and Adelaide University. As has been mentioned, the family farm was at Alma and has been described as very much a strong working farm, with grain, sheep, poultry and bees. Indeed, in speaking with the former member for Schubert, Ivan Venning, it was pointed out that John was a great farmer, with skills and a property that rivalled the Venning family's, which is certainly high praise indeed.

Mr Freebairn served as the member for Light from 1962 to 1970 in the LCL governments of Playford and Steele Hall, and he certainly was one of our last links to that great era in South Australia's history. John served in the Steele Hall government as parliamentary undersecretary to the Premier.

John is remembered as a diligent, hardworking MP and, if he had a fault, it was that he was modest—too modest—and hated talking about himself, which is quite rare for a politician. He was, it has been described to me, a typical country MP from that time, advocating strongly for all things rural and, amongst other things, the abolition of death duties, which is a huge issue for farmers and which was a great win when it was abolished.

John is also remembered as having strong attention to detail, and he was very proud of his parliamentary service throughout his life. He was a proud member of the LCL, LM and the Liberal Party for more than 50 years, and often used to say he had joined 'last century', which surprised people, as he would say it with a straight face and it often took a while for them to realise he was being mischievous.

As has been mentioned, John had a long and distinguished career post politics, as a director on the board of the SA Egg Board, Red Comb Co-op, and the South Australian CBH, and was also active in United Farmers and Graziers. He was heavily involved in the debates over a number of years in regard to the dramatic change of policy and direction in the 1990s of grain marketing in South Australia, especially around the corporatisation of the CBH and also the removal of the single desk. After state politics, he was committed to his local area with the Hamley Bridge hospital board and as state director of the SA CBH.

It was recounted to me that John was a strong mentor to many country MPs, including Ivan, often reminding them not to forget their rural roots and to stand up for country issues. He was a longtime member and coordinator of the Coolibah Club and loved to travel the state promoting their good work. He also actively pursued those interests on his own property. He thought he was particularly good with Swamp Mallets, which I understand are small eucalypts, and often gave advice to Steele Hall about what he should plant at his place, and sometimes that advice was even taken.

He travelled widely, being especially interested in regional farming communities. Given John's Scottish heritage, he was always interested in the family's links to Scotland, and he was actively involved in the Caledonian Society. John kept his ties to this place as a member of the Association of Former Members of Parliament, and served on the executive for more than 25 years.

John passed away, as has been said, on 5 January 2016. On 15 January, a service was held at Owen, attended by hundreds, including former premier Steele Hall and his wife Joan, who would often catch up with John for lunch right up until not long before his death. During the funeral service,

many accolades were given to the generosity of John for his service and support of the CFS, and the Alma CFS in particular.

I would like to add my condolences to Susan, who has links to Rosedale at my electorate, and to the whole family. Also, I am very pleased to be able to put these comments on the record on behalf of his friends and former colleagues in this place. Vale, John Freebairn.

Mr DULUK (Davenport) (14:22): I also rise to add my condolences on the passing of John Sydney Freebairn. Several weeks ago, on 15 January, a funeral service was held and several hundred people gathered at the Owen Institute to pay tribute to the life, activities and achievements of John Sydney Freebairn, a former MP in this parliament as the member for Light from 1962 to 1970.

Several former members of this chamber knew him well, and asked me to support this condolence motion to respect and acknowledge his time as the LCL member for Light, as an MP serving in two LCL governments—that of Sir Thomas Playford from 1962 to 1965, and premier Steele Hall from 1968 to 1970. During this time, he served as parliamentary undersecretary.

The funeral service in Owen was packed out with family members, local friends from the wider district, and representatives of numerous organisations that were generously supported by John over many years. A memorial service was held last Saturday at St Chad's Church in Highgate, and again, former members of this chamber attended, along with many individuals who had known John through his work and supported the church and community groups he supported.

John's extended family and friends appreciated the friendship, respect and support shown by his political colleagues who attended that service, including his former great mate, Steele Hall; former Speakers Bruce Eastick and John Oswald; President of the Association of Former Members of Parliament, Murray De Laine; Stan Evans; and, of course, our leader, Steven Marshall, on behalf of the Liberal Party. John was a proud member of the LCL (now the Liberal Party) for over 50 years.

Steele Hall tells the story, and credits John as being the first MP to design and distribute what we now call electorate news or electorate updates. His first edition was an 'electorate update'. In those days of the 1960s, the paper size was not A4, the computer did not do the artwork and the layout, but similarities to the versions now available included inside, on pages 2 and 3, many impressive activities that the local member achieved and those of the LCL governments. John prepared that material, but then he offered pages 1 and 4 in his own newsletter to be used as an update for other members of parliament to put local electorate activities, news, meeting times and places and, of course, good photographs of the local members doing their business. I am told his generous offer was taken up by a few diligent local members.

Post parliamentary life, John was still involved in his party in addition to a wide range of related activities. Although he modestly called himself a farmer, and of course that is true, his farming and agricultural interests extended much more widely than the working farm at Alma. It is worth placing on the record a small and significant selection of them. He was president of the Alma Agricultural Bureau and chairman of the Owen branch of the Wheat and Wool Growers Association for a number of years. He was president of the Hamley Bridge hospital board, director of the Red Comb Co-op, director of SA Cooperative Bulk Handling, a member of the SA Egg Board, and a board member of the Laura and Alfred West Cottage Homes.

He was a Fellow of the Institute of Company Directors, a life member of the Alma CFS and a justice of the peace. As mentioned many times, he was very proud of his Scottish heritage. As already mentioned as well, he was active in the establishment of the Association of Former Members of Parliament in the late 1980s. He assisted in writing the constitution, and from the beginning took on the roles of treasurer and secretary for various years between 1988 and 2001.

He took leave of absence from that role to ensure his tireless energy and desire to travel the world was met. He wrote numerous and dedicated postcards from all around the world to keep his friends up to date, but would always return to undertake more duties of the former MPs association, serving on the executive as treasurer when no-one else volunteered.

The last few years of his life were a challenge, but he was well supported by his wife, Susan, David and Claire, extended family and friends, and still enjoyed being kept up to date with party activities and general current, local, national and international affairs. For a man who called himself

a farmer, it was an amazing life of achievement and service to others and, as has been said so many times on other occasions in this house, he will be sadly missed.

The SPEAKER (14:27): I was pleased to be introduced to John Freebairn through a mutual friend, Lyndal Bowen. We met in Parliament House; in fact, we met in Parliament House often, because John would treat Parliament House, I suppose, as his office while he was in town, so he was often in parliament. I thought of John last year when I decided as Speaker to shape a proposal to adapt the Torrens Room as a room for retired members with some office facilities.

As has been mentioned, John was a friend of Steele Hall. He supported Steele Hall in the struggles within the Liberal and Country League in the late 1960s, and indeed into the early 1970s. The important thing that John supported was getting rid of the Playford malapportionment. As has been mentioned, when John was the member for Light it had 6,000 voters. The electorate that I now have the honour to represent was represented by Cyril Hutchins and had 30,000 voters. John, like Steele Hall, thought that it was untenable that this could continue. In a sense, that sacrificed his political career, because it made the state district of Light much larger than the one he was representing and led to a preselection challenge from Bruce Eastick.

After John was defeated, he stood for the Legislative Council, which then had districts, and the district for which he stood was Midland in Gawler and the Mid North, and he was defeated, I think by Labor's Cec Creedon, in something of an upset. But, as has been mentioned, John worked to reunite the Liberal Movement and the Liberal and Country League and form the modern Liberal Party. I found him, as has been mentioned by others, a modest, gentle and reasonable person, and I enjoyed his company when I met him. I ask members to carry the motion in the usual way.

Motion carried by members standing in their places in silence.

Sitting suspended from 14:29 to 14:39.

The SPEAKER: I call to order the Treasurer and the leader for their exchange during the condolence motion.

Parliamentary Procedure

SPEAKER'S RULING

The SPEAKER (14:41): Yesterday in question time, the member for Morialta asked a question about an SMS service for schools. Many of us, I think, have received an email from a particular commercial provider promoting his particular service, and I had thought that the member for Morialta was promoting that particular service in his question. I am mistaken; he was just promoting the idea, so I apologise to him for my—

Mr Gardner: Imputation.

The SPEAKER: —imputation that it might have been an advertorial.

An honourable member: You could go on the board of the ABC.

The SPEAKER: That's right.

Ministerial Statement

LGBTIQ LAW REFORM

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:42): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: At the opening of parliament last year the government announced that it would invite the South Australian Law Reform Institute at the University of Adelaide to review legislative discrimination against individuals and families on the grounds of sexual orientation, gender, gender identity, or intersex status. The recent story of Marco Bulmer-Rizzi's mistreatment by our state highlights the importance of these reforms and demonstrates that we have a long way to go to ensure discrimination is a thing of the past.

I was deeply saddened to hear of the death of Mr David Bulmer-Rizzi who tragically died in Adelaide while honeymooning with his husband, Mr Marco Bulmer-Rizzi from the United Kingdom. Unfortunately for Marco, David and their families, as a result of Australia's out-of-date laws, these relationships are not appropriately recognised, causing embarrassing and disrespectful treatment at the most tragic time in their lives. Marco was left feeling as though he was a second-class citizen.

Upon hearing of their tragedy, I called Marco to express my condolences and to apologise for what he had experienced. We were also able to stop the certificate with the description of 'never married' from being issued. What happened to Marco is a clear example of why we need marriage equality in Australia, because discrimination in our laws flows through not just to legal things like certificates but also how people treat other people.

The embarrassment highlighted by this tragedy has strengthened my resolve to ensure that all South Australians enjoy the same rights. To that end, I have asked the South Australian Law Reform Institute to expedite their review. The first tranche of the review's recommendations have already been encapsulated in an omnibus bill that was tabled in parliament last year.

I have now been advised that the Law Reform Institute will deliver five further reports recommending changes to address the discrimination canvassed in their initial audit paper. These include laws regulating sexual reassignment and registration of sex and gender; surrogacy; relationship register; the current operation of provocation law; and the effect of exceptions under the Equal Opportunity Act 1984.

Today the Law Reform Institute has released the first of these five reports relating to sex and gender reassignment. I would like to take the opportunity to thank the Law Reform Institute for their work, and indicate that the government will consider the recommendations of the report and release draft legislation for consultation later this year. We anticipate receiving the rest of the reports in the first half of the year, at which point the government will consider the reforms and introduce further bills to parliament as soon as possible thereafter.

Following the death of Mr David Bulmer-Rizzi, I have also asked what more the government can do to improve awareness and understanding in the public sector of LGBTIQ issues. My department and the Department for Communities and Social Inclusion are currently developing a whole of government online awareness training program that will be made available across the public sector. I have also asked for agencies to review forms and other paperwork to ensure they reflect best practice around when and how people are required to nominate their gender. The Department of the Premier and Cabinet and the Department of Environment Water and Natural Resources will be the first South Australian government agencies to begin this process.

My government is working hard to achieve equality for all South Australians. The federal Marriage Act aside, it is my hope that, through these important reforms we are pursuing, we can avoid the type of hurt and disrespect experienced by Mr David Bulmer-Rizzi from ever occurring again.

Parliamentary Procedure

PAPERS

The following paper was laid on the table:

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

Development Plan Amendment—City of Mt Gambier—Industry (Timber Mill) Zone Report

Ms Chapman: When are you going to table the City of Adelaide annual report? You're the chairman.

The SPEAKER: I call the deputy leader to order.

The Hon. J.R. RAU: I will make an inquiry about that.

The SPEAKER: Can the Deputy Premier confirm that the picture on Twitter is in fact his cat?

The Hon. J.R. RAU: I will check. Was it tweeted by me or by another?

The SPEAKER: By Matthew Abraham.

The Hon. J.R. RAU: In that case there may be some veracity to that image.

Ministerial Statement

WATER PRICING

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:47): I seek leave to make a ministerial statement.

Leave granted.

The Hon. A. KOUTSANTONIS: Today the Essential Services Commission of South Australia handed down its draft pricing determination for the next four-year period. The draft determination process proposes a decrease in SA Water's revenues of 3 per cent over the years 2016 to 2020, which is the equivalent to a revenue reduction of \$160 million across the four years. Were this to come into effect, this would flow through as a saving for consumers on their SA Water bills.

While this is to be welcomed, the government is always looking for ways to relieve household budget pressures. On top of existing water and sewerage concessions of up to \$295 and \$110 respectively, this government recently introduced a new cost of living concession of about \$200 for more than 200,000 households. We also scrapped the Save the River Murray levy in the last state budget, providing annual savings of \$40 to households, and \$182 to most households and businesses.

Today's draft determination follows ESCOSA's first report as the independent regulator in 2013-14, which delivered a reduction in water prices of 6.4 per cent in 2013-14 and price increases of no more than CPI the following two years. Over the last decade, this government has made significant investments in water infrastructure. We have made significant reforms to water, such as independent economic regulation of SA Water by ESCOSA, and we have progressed the scheme to allow for third-party access to water infrastructure through the Water Industry (Third Party Access) Amendment Act 2015.

We live in the driest state of the driest continent and these measures have been taken to secure our water supplies into the future. Our population is spread over a large land mass and, despite the challenges, we deliver fresh, clean water to South Australians across the state every day. This government's pricing policies are designed to ensure fair and equitable service delivery for all South Australians, irrespective of where they live.

The draft determination is now open for consultation until 24 March. We will be working through the detail of the draft determination. I look forward to coming back to the house to advise of the final water and sewerage prices once the process is completed.

RESEARCH AND DEVELOPMENT CORPORATIONS

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) (14:49): I seek leave to make a ministerial statement.

Leave granted.

The Hon. L.W.K. BIGNELL: Today I welcome the federal government's decision to relocate offices of two of the nation's leading research centres to Adelaide. The Grains Research and Development Corporation and the Fisheries Research and Development Corporation will now both have a base here in South Australia. These relocations add another pillar to the state government's economic priority of premium food and wine from our clean environment exported to the world, and the centres will be an excellent fit for South Australia.

The Grains Research and Development Corporation is one of the world's leading grains research organisations responsible for planning, investing in and overseeing research and

development in production, sustainability and profitability. The Fisheries Research and Development Corporation is the national fisheries and aquaculture research funding body.

During the past year I have spoken about the relocation with federal Minister for Agriculture, Barnaby Joyce, and Assistant Minister for Agriculture and Water Resources, Senator Anne Ruston, and I congratulate them on this decision. They agreed there were huge economic, educational and employment benefits to relocating offices to South Australia. Adelaide's central location make it an ideal hub for all Australian states and territories and will make it easier for people in both sectors to access the national research bodies.

Both GRDC and FRDC will be located at the National Wine Centre on Hackney Road where Wine Australia has been leading the national approach to wine for several years. The GRDC will bring four to six positions to South Australia. They will also establish three other offices outside of Canberra in Dubbo, Toowoomba and Perth. The intent is to have 50 per cent of staff work from regional offices within two years.

Establishing the Fisheries Research and Development Corporation office in South Australia will provide a significant boost for the reputation and future development of the South Australian seafood industry. The FRDC also intends to have four to six positions in Adelaide. Today's announcement further cements our national and international reputation as the nation's leader in fisheries and aquaculture management and research.

OVERSEAS GOODS EXPORTS

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) (14:52): I seek leave to make a ministerial statement.

Mr Marshall interjecting:

The SPEAKER: The leader is warned. Leave is sought to make a ministerial statement. Is leave granted?

Leave granted.

The Hon. M.L.J. HAMILTON-SMITH: Exports are the key to economic transformation, and they support more than 65,000 jobs in South Australia of the 205,000 jobs created from activity outside the state. Exports are surging in key industry sectors important to small business. The Australian Bureau of Statistics released the results for Overseas Goods Exports to December 2015 just this week. One finding in those results is that our exports to emerging markets in India have increased by 7.6 per cent in the 2015 calendar year. There were also across-the-board rises in exports of wine (22 per cent), meat (15 per cent), vegetables and fruit (39 per cent) as the state works to offset the global slump in minerals and oil and gas.

In 2015 South Australia's goods exports totalled \$11.7 billion. Given the collapse of global commodity prices, particularly in oil, gas and minerals, which is hammering share markets and economies around the world, it is pleasing to see that South Australia's overall decrease of 1.8 per cent year on year is well below the national trend of -5.8 per cent. The decrease in exports—

Members interjecting:

The Hon. M.L.J. HAMILTON-SMITH: See, they don't understand the figures. They cannot read the figures, that is why we are spelling it out for them. The decrease in exports—

Ms CHAPMAN: A point of order, Mr Speaker.

The SPEAKER: Is the deputy leader honestly getting up to make a point of order after the opposition slagged the minister and he slagged them back?

Ms CHAPMAN: Indeed not. I am actually getting up to defend you, sir, for being accused of all sorts of scurrilous things.

The SPEAKER: Well, that is quite different. Minister.

The Hon. M.L.J. HAMILTON-SMITH: The decrease in exports in minerals and energy is a global event over which governments, state or national, have little control. When you exclude minerals, petroleum and grains from current results, South Australian exports were up by 16 per cent in the year to December 2015. This is fantastic news for small business and demonstrates that our state is on the right track with its focus on food, services and niche manufacturing exports through our renewed international engagement strategy.

South Australian businesses in both Adelaide and the regions saw strong growth in exports of: wool and sheepskins, up 35.6 per cent (\$52.3 million); meat and meat preparations, up 15.5 per cent (\$181 million); vegetables and fruit, up 39 per cent (\$170 million); wine, up 18.8 per cent (\$212 million); wheat, up 22.2 per cent (\$274 million); and remaining and similar categories were up 17.3 per cent (\$388 million). These figures point to the transformation of our economy, showing strong growth in food and wine exports to counter global contraction in minerals resources exports, particularly to China. This is a credit to the many family businesses and medium enterprises working hard to create jobs and investment across the state.

The strength of these export categories sets a good foundation for an inevitable cyclical recovery of global commodities. South Australian businesses saw strong growth in our traditional trade markets in the United States, up 26.5 per cent (\$357 million), and the European Union, up 13.8 per cent (\$134 million). The state has a clear plan to further boost trade through export programs, including the Export Partnership Program and TradeStart, and through our market engagement strategies and overseas business missions which encourage SMEs to take the step to grow their international markets.

In the past 12 months, strategies for growing exports have been improved and further integrated. Our strategic approach to markets is better preparing companies to take advantage of the opportunities that business missions generate. These results show that our commitment to working with businesses across the state to expand exports is bringing results. Last week the Department of State Development forum on access to global markets was attended by more than 200 business people. Some important fundamentals are moving in favour of small business and exporters.

The Australian dollar has dropped from almost \$1.10 to around 70¢, fuel prices are at record lows, and borrowing costs are at historically attractive levels. There has been \$180 million cut from WorkCover costs for small business employers, with levy rates heading towards 1.8 per cent, and significant tax cuts have been delivered. If each SME is able to create a handful of jobs on the back of these welcome developments we would have thousands more people employed.

This is our objective: more jobs in every possible way. We are encouraged by the recent ABS data that shows solid gains in the key export areas upon which we are focusing. I commend the businesses that are working with us to build a bolder, brighter future; and if only there was a little bit more positivity instead of negativity, we would make further progress.

Mr WHETSTONE: Point of clarification, sir.

The SPEAKER: I don't like those. I like points of order.

Mr WHETSTONE: On indulgence, sir, I would like the minister to explain to the house why, when his government came to power, South Australia had 7.9 per cent of the nation's exports and today South Australia has only 4.7 per cent of the nation's exports? Please explain that to the house.

The SPEAKER: The member for Chaffey will leave the house under the sessional order for the duration of question time for an abuse of the standing orders.

Members interjecting:

The SPEAKER: Yes, for one hour.

The Hon. J.M. Rankine interjecting:

The SPEAKER: The member for Wright is called to order for glorying in the member for Chaffey's discomfiture.

The honourable member for Chaffey having withdrawn from the chamber:

WATER PRICING

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:59): I table a statement made by the Minister for Sustainability, Environment and Conservation in another place.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

Mr ODENWALDER (Little Para) (15:00): I bring up the 18th report of the Legislative Review Committee entitled Subordinate Legislation.

Report received.

Question Time

GOODS AND SERVICES TAX

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:00): My question is to the Premier. Does the Premier stand by his comment that 'we haven't seen any coherent or sustainable way' that federal Labor's promise to reinstate Gonski will be funded without increasing the GST?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (15:00): Well, I didn't say any such thing.

Members interjecting:

The Hon. J.W. WEATHERILL: In fact, my—

Mr Pisoni interjecting:

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

The Hon. J.W. WEATHERILL: My remarks were directed at both health and education funding, and it's the same thing, as I have been saying consistently for many months now. It's at the heart of the proposition that we have been advancing on the national reform agenda. I suppose the thing that I have been asking the citizens of South Australia to do is, when they have a problem, rather than just participate in the debate as a group of self-interested individuals, we ask them to be citizens, so not only come up with a problem but also come up with a solution.

I have applied the same discipline to the way in which I have engaged in the national debate. If there is a challenge, and there is—an \$80 billion cut to health and education—rather than actually go to the national debate and complain, merely complain, about the health and education cut, we also go with a solution which is a revenue measure to meet those issues. There is no doubt that federal Labor has now made a commitment to fund years five and six of Gonski, which has—

Mr Marshall: Not in a coherent or sustainable way.

The Hon. J.W. WEATHERILL: They have come up with a plan to fund that, and I think it is a coherent plan. What we haven't yet seen from both major parties—either the Labor Party or the Liberal Party—is a plan to meet the \$80 billion worth of cuts which are spread over 10 years.

We have already rehearsed this issue about whether or not the cuts are actually true or otherwise. The opposition leader has had two positions on this. He said last February that he didn't support the cuts and, just recently, he suggested that we can't advance this argument that there have been cuts.

But if you want an independent observer who has actually evaluated this, when the Auditor-General looked at our campaign on Federal Cuts Hurt, he made these findings. He said, 'We confirmed that the total value of the cuts to health [are] \$655 million...' He confirmed the total value of cuts to pensioner concessions are \$123 million. He confirmed the funding cuts of \$335 million in education over six years. It is true that we are advancing ideas at a national level to fund both of these—

Mr Marshall interjecting:

The Hon. J.W. WEATHERILL: Are you going to answer the question or do you want me to?

Mr Marshall: Why don't you answer the question?

The Hon. J.W. WEATHERILL: Well, why don't you give me a few moments of clear air while I do so? What do you want? Do you want to supply the answer or do you want to ask the questions?

Members interjecting:

The Hon. J.W. WEATHERILL: Mr Speaker, when I called for a mature debate I wanted it to be a debate which is elevated above the name calling, the abuse, the threats, the sorts of things which have emerged in the national debate and which exist here in this contribution. We need better than that from our nation's politicians, and I think this question just demonstrates the paucity of the public debate on the question.

The SPEAKER: Before the leader asks a supplementary, I warn the deputy leader a first and second time. I call to order the member for Morialta and warn him. I warn the leader a second time. I call to order the member for Hartley and warn him. Also, the members for Schubert and Davenport are on warnings, and I call to order the ministers for investment and trade and transport and the member for Mitchell. Leader.

GOODS AND SERVICES TAX

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:05): Thank you very much. My question is to the Premier. Now that the opposition leader, Bill Shorten, has ruled out adopting an increase to the GST as policy, does the Premier believe it will be possible for federal Labor to deliver on its education policy?

An honourable member interjecting:

Mr Marshall: I'm sorry—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The Treasurer is warned.

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (15:05): We are talking about two separate issues here. The federal funding cuts in relation to health and education fall largely in the health area. The lion's share of the \$80 billion of cuts are in the health area. So, while the reinstatement of years five and six of Gonski is welcome—it is a tremendous contribution, and the fact that it has a funding plan to reinstate that funding should not be diminished by the federal Labor Party, so without wishing to belittle that at all—the larger part of the task has still not been responded to by federal Labor or federal Liberal.

We as a state are going to have to grapple with this ourselves on our own if there is not a federal response to this. It is in the interests of South Australia for me to stand up and put this on the national agenda in the lead-up to the federal election. Now, does that make life a little uncomfortable for some of my federal colleagues? Yes. I am sorry about that, but my responsibilities are to this state and to this parliament, to ensure that our children get the education they need and our patients get the treatment they need in our public hospital system. I am duty bound to pursue those issues. I would have thought that those opposite would join in common cause with me in relation to those matters.

Mr Gardner interjecting:

The Hon. J.W. WEATHERILL: Well, there is one small detail that actually occurred since the last election: it is the \$80 billion cut to health and education. I would love there to be an alternative solution. I would love somebody to come up with an alternative solution than the ones that I have proposed, but I am yet to hear them. I have yet to hear a coherent, sustainable plan to actually respond to the health and education cuts.

Now, I have certainly put forward a range of ideas. All we can hope for is not a 10 or 15-year plan. If all we can hope for is something to get us through the next five years, which are going to be hard enough, then expanding the GST to financial services is an idea I have advanced, and that

raises between \$3 billion and \$4 billion. It suffers from none of the same concerns about a disproportionate effect on low-income earners.

I think it is something which has been recommended by a range of inquiries into the taxation system in this country. It broadens the tax base on to a growing sector of the economy, and financial services, Ken Henry and other reviews recommend that it is a proper approach. Of course the banks don't like it, but, well, that would not be the first time they have complained about things.

I think that it is inappropriate that some sector of the economy is quarantined in that way from the GST. So, that does provide us with a positive way forward. If the GST is off the table, and it appears to be at least in terms of increasing the rate, broadening the base to cover financial services may provide a short-term solution at least to some of our funding difficulties.

The SPEAKER: I warn the members for Morialta and Hartley for the second and final time, the Treasurer a second and final time, and I call to order the member for Mount Gambier. Leader.

GOODS AND SERVICES TAX

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:09): Thank you, Mr Speaker. My question is to the Treasurer. Does the Treasurer stand by the comments made by the Premier that federal Labor will not be able to deliver on its Gonski commitments without an increase in the GST to 15 per cent?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:09): The Premier just answered that question and, despite the opposition attempting to say that there is somehow a different position from his cabinet to the Premier's, I can assure the house that everyone is in lockstep behind our Premier. This party has a proud history of supporting our leaders. That is why we can boast two leaders in 25 years, and that is why we are proud to be in this cabinet, because we support our Premier to go out and fight for South Australia. So far, the opposition has offered no alternative to the \$80 billion worth of cuts to health and education that their colleagues have imposed upon the nation.

Mr MARSHALL: Supplementary, sir?

The SPEAKER: Supplementary, leader.

GOODS AND SERVICES TAX

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:10): Does the Treasurer personally believe that we should have a GST rate of 15 per cent?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:10): I supported the Premier's plan. I argued for that plan at the treasurers' conference. I argued for that plan, and the plan was inspired, if I can say so myself; it was a very good plan. The commonwealth government has doubled the deficit. Their colleagues opposite took office and they said they would abolish the deficit within the first term. In fact, they have doubled it. They have doubled the deficit. They are a financial mess.

The plan that we took to increase the GST to 15 per cent was that that would stay with the commonwealth government and then we would cash in our national partnership payments and our special purpose payments and receive a portion of income tax. Why? Because income tax is the one tax that grows at the same rate as the economy and roughly the same rate as healthcare costs—a much more stable way for states to fund expenditure. Who thought this was a good idea? Mike Baird, a successful Liberal. Not the most unpopular Liberal in the country, but the most popular Liberal in the country—a very big divergence from this lot to the people supporting the Premier's plan.

We argued for that plan. Now the Prime Minister has walked away from it. He says he does not want that plan. Well, that means that the opposition and the commonwealth government need to solve this problem. How do we fund our hospitals? How do we fund our schools? What is the mechanism by which we provide health care to our citizens? Because there is a massive fiscal gap, and members opposite sit silent. So, did I support the Premier's plan? Absolutely.

GOODS AND SERVICES TAX

The SPEAKER: Supplementary, member for Stuart.

Mr VAN HOLST PELLEKAAN (Stuart) (15:12): The Treasurer in his answer said that he has argued for the Premier's plan to increase GST to 15 per cent and he supports it wholeheartedly. Why did he tell this chamber on 2 July last year that he and Labor would not support an increase to the GST?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:12): Unfortunately for members opposite, they have very little experience in governing. Governing means that sometimes, when you are confronted with the size of the fiscal gap that we have, we need to be responsible. When a successful Liberal like Mike Baird stands up and has the courage to say, 'Let's have a debate about taxation in this country,' we were not prepared as a government to let him sit on his own, so we stood with him. We said, 'Okay, let's have a debate, because there is a massive fiscal gap,' and we had that debate while members opposite sat silent, offering no alternative, no policy development, no new revenue measures, no savings measures, nothing. They have not offered a single alternative. We are able to look to make sure that we can fund the services that we need, and it is a bit rich to have the opposition criticise us about a problem their political party created.

GOODS AND SERVICES TAX

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:13): My question is to the Treasurer. Has the Treasurer had any discussions with Labor leader Bill Shorten about how Gonski will—

Members interjecting:

Mr MARSHALL: Has the Treasurer had any discussions with Labor leader Bill Shorten about how Gonski will be funded in South Australia without increasing the GST to 15 per cent?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (15:14): I am responsible for conducting the discussions about the plan of this government with all the relevant national figures, including my interstate colleagues, the national leader of the Labor Party, and indeed the Prime Minister of the country and the federal Treasurer, supplemented and, of course, assisted by the Treasurer on occasions.

Can I say this: on each of these occasions, when we have advanced ideas, we have sent advance copies of the speeches laying out these ideas in detail to every single one of those groups, so nobody has been taken by surprise. The fact that these are complex issues that require quite a considerable discussion and articulation—

The Hon. A. Koutsantonis: It's not a slogan.

The Hon. J.W. WEATHERILL: They are not slogans. It is the easiest thing in the world to take one element of them and misrepresent it and take it out of context, which has been happening routinely in this debate. The very thing that sickens people most about politics is that we cannot speak honestly and openly to people about complex issues and lay out sophisticated plans to respond to them, and if those opposite actually searched their own conscience and actually asked themselves what they would do faced with these circumstances, they would be advancing similar ideas—and they know it.

They know it, but for political reasons they won't permit themselves to say it out loud. We have been prepared to say things out loud which are uncomfortable, which create controversy and, indeed, some measure of conflict in our party, but we do it in the state's interest, we do it in the national interest, and we do it because I am standing up for South Australia.

The SPEAKER: The member for Davenport is called to order, as is the member for Finnis. The member for Morphett is called to order and warned a first and second time, and the member for Adelaide is called to order and warned a first time. Leader.

ELECTRICITY PRICES

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:16): Thank you very much, sir. My question is to the Minister for Mineral Resources and Energy. Will the base futures electricity price in South Australia be, on average, higher than other states for the next three years?

Members interjecting:

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:16): Cue the mock outrage!

The SPEAKER: Any member holding up one in the next five seconds will be named.

The Hon. A. KOUTSANTONIS: Sir, as I look—

Members interjecting:

The SPEAKER: And every member of the opposition receives a warning for that conduct—everyone.

The Hon. A. KOUTSANTONIS: It is like the Moscow Olympics, sir.

The SPEAKER: Is there a member who did not hold up? Make a display.

Ms REDMOND: I didn't.

The SPEAKER: Did the member for Heysen not make a display?

Ms REDMOND: I did not make a display, sir.

The SPEAKER: Then accordingly you are not warned. Is there anyone else who did not make a display?

Ms CHAPMAN: Me.

Members interjecting:

The SPEAKER: The deputy leader.

Ms CHAPMAN: There is not one here.

The Hon. J.R. RAU: Mr Speaker, I am just wondering, if you add one to the accumulated—

The SPEAKER: Yes; yes, I know.

The Hon. J.R. RAU: —do we have anybody who is on three?

The SPEAKER: Yes, a very good point. Minister.

The Hon. A. KOUTSANTONIS: Like the Moscow Olympics, sir. All the little socialists putting up the cards at the right time, aren't you?

Members interjecting:

The Hon. A. KOUTSANTONIS: All good little socialists; do as you're told. That's right, yes.

Members interjecting:

The Hon. A. KOUTSANTONIS: Oh, Mr Speaker! It is a bit rich, as Sir Thomas Playford looks down on the party that sold what he built, on a day when ESCOSA, the independent regulator, took a government monopoly—a government utility: water—and has given South Australians, in an interim report, a 3 per cent decrease. Three years ago, a 6 per cent increase—\$90 million a year—yet the assets that were privatised by members opposite—

Members interjecting:

The Hon. A. KOUTSANTONIS: When they privatised these assets, they broke them up to ensure a nice little tidy sale price. What did they do? They didn't build new interconnections to insulate South Australians from volatile price increases. What did they do? They broke up the assets, they

sold them to the private sector, and now they dare to come into this house and lecture us about high power prices. Compare the two, Mr Speaker.

Members interjecting:

The Hon. A. KOUTSANTONIS: Compare the two! SA Water, funding South Australians, lower water prices. Queensland has higher water prices than South Australia. Victoria has higher water prices than South Australia. The guilty party opposite are the ones who have caused this for South Australia, but we are attempting to do something about it. It is very difficult to—

The SPEAKER: Can I interrupt you for a moment. The member for Finniss continued to make the display. Accordingly, he will leave under the sessional orders for the next hour.

The honourable member for Finniss having withdrawn from the chamber:

The Hon. A. KOUTSANTONIS: It is a very difficult thing to predict. The national electricity market, in my opinion, is not operating as it was intended to. We don't have sufficient interconnections to New South Wales, courtesy of the former Liberal government, which was selling our assets and breaking them up to maximise the sale price.

Ms Sanderson: Fourteen years; come on!

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

The Hon. A. KOUTSANTONIS: They did not build sufficient interconnections with other markets. We have lobbied, and lobbied very hard, with the national regulator to upgrade the Heywood interconnector—

Mr Pisoni interjecting:

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

The Hon. A. KOUTSANTONIS: —and that process is being upgraded from a capacity currently of 460 megawatts to 650 megawatts. We have been supporting this upgrade and that means we will get, again, more access to the Victorian energy market to bring in power. The Australian Energy Market Operator (AEMO) recently advised that the Heywood interconnector upgrade project was on track and would be completed in the middle of this year, with a new transformer in Heywood having been commissioned in late 2015.

No-one can accurately predict that, though our estimates may. We are working to do everything we can to keep power prices down. We have had rule changes in the national market, which means we have stopped the late bidding of prices into the market to stop this type of gaming in the electricity market. It occurs in a market like South Australia where there is not much interconnection.

Again, that interconnection wasn't built, to maximise the sale price that members opposite ensured they imposed on South Australians when they privatised ETSA. Again I say to the people of South Australia: compare the two. Compare our water assets, which are a government monopoly, owned by the people of the state: price reductions. Compare the privatised, broken up market of our electricity assets and see the difference.

Mr Bell: You don't have baseload power.

The Hon. A. KOUTSANTONIS: The question there is why? Why don't we have baseload power?

Mr Marshall: That's not the question.

The Hon. A. KOUTSANTONIS: It is, because one of your backbenchers just asked it. The reason there is no baseload power is the way the assets were privatised. They broke up the generation, broke up transmission, broke up retail and sold them all individually. What does that mean? The generators are on their own; the generators are on their own with no interconnection. As that interconnection comes on line, what happens to those generators? They are priced out of the market.

I have to say that it is a bit rich of the Liberal Party to lecture us on power pricing, given that they are the guilty party which caused this for South Australians. They are the ones doing it. What do we do about it? How do we fix their mess? It's been a long and slow process to unscramble this egg—a long and slow process. But I will get another question, no doubt.

Mr Goldsworthy: He didn't answer the first one.

The SPEAKER: The member for Kavel is warned. The Leader.

ELECTRICITY PRICES

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:22): My question is to the Treasurer. Has the minister read the Australian Energy Regulator analysis of future base electricity prices, published on Monday this week?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:22): I have had a look at it. It does make predictions, and they are just that—they are predictions. Those predictions can hopefully be borne out to be inaccurate, and we are working to do that.

An honourable member: It's a government run on hope.

The Hon. A. KOUTSANTONIS: No, we're not the ones—

Members interjecting:

The Hon. A. KOUTSANTONIS: Mr Speaker, it's a bit rich for the party that imposed this on the state to be now complaining about it. I say again to members: compare the two utilities in the state. One is government owned: price decreases; one—

Mr Marshall: It's renewables.

The Hon. A. KOUTSANTONIS: Ah, here's the point; that's what it really is about. We finally get to the truth of the matter. The Leader of the Opposition interjects that it's renewable energy causing this. Ah, that's right. Finally, the truth comes out of the party that doesn't believe in climate change.

An honourable member: Rubbish!

The Hon. A. KOUTSANTONIS: But your leader just said renewable energy is increasing prices. Which one is it?

Members interjecting:

The Hon. A. KOUTSANTONIS: Oh, it is. The cause of it is. It would interest members to know that, at some stages in South Australia in the wholesale energy market, there were bids of minus \$1,000 because of renewable energy.

Mr Marshall: Why?

The Hon. A. KOUTSANTONIS: I will tell you why: because of interconnections. The way these assets were privatised has left a legacy in the state. Every South Australian knows.

Members interjecting:

The Hon. A. KOUTSANTONIS: Mr Speaker, the constant interjections.

Members interjecting:

The SPEAKER: I'm taking the Treasurer's advice to me, continually in the three years I've been Speaker, to let the game flow.

The Hon. A. KOUTSANTONIS: I'm glad today you've decided to wear the fluorescent vest, sir; it is very impressive. Given your new liberal attitude towards this, I will say to the most unpopular Liberal in the country that he and his party are the ones that have caused this mess and we are attempting to fix it. The Australian Energy Market Operator—

The SPEAKER: My recollection, Treasurer, is that you were asked whether you had read the report, and I understand you have.

The Hon. A. KOUTSANTONIS: The Australian Energy Market Operator recently advised that the Heywood interconnector project—

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: The pressure is rising. If I had his Newspoll results I would be upset too. The Australian Energy Market Operator has recently advised that the Heywood interconnector upgrade project is on track for completion in mid-2016, as I told the house. The government is also in the process of pursuing changes to the Energy Regulation Framework to ensure an efficient wholesale energy market.

We submitted a rule change to the Australian Energy Market Commission after becoming concerned that the bidding in good faith rules no longer achieve their purpose, which may mean that generators can operate in a manner that gives rise to inefficiencies leading to higher prices or, in some instances, negative prices in the National Electricity Market. The rule change seeks to strengthen the rules to ensure that future generator bidding practices are consistent with an efficient, competitive and reliable market, because we have the peakiest markets in the market.

South Australia's National Electricity Market is very peaky. We get very extreme lows and very extreme highs. So what that means is that our manufacturers are buying power at times that are opportunistic for them and operating at those times, like Kimberly-Clark in the South-East, which does a very good job on the spot market. Brighton Cement are also doing the same sort of work. We are encouraging a lot more small to medium-sized enterprises to use that type of technology to do the same thing. What we need to do is flatten out the peaks and troughs—

Mr Marshall: So what are you doing about that?

The Hon. A. KOUTSANTONIS: This rule change that I have just been telling you about, Mr Speaker, that the Leader of the Opposition probably has absolutely no idea about, because he is so focused on keeping his job, is about making sure—

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

Mr MARSHALL: Supplementary, sir.

The SPEAKER: Supplementary.

ELECTRICITY PRICES

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:27): Given that the Treasurer has outlined to the house that he has read the AER report, can he outline to the house how much higher South Australia's future electricity prices are relative to other states in Australia going forward?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:27): Given that again he hasn't outlined whether it is wholesale or retail prices he is talking about, probably because he doesn't understand the difference—

Mr Marshall interjecting:

The Hon. A. KOUTSANTONIS: Is that the next question? Is that the next question on your list? As I was saying, we want efficient and competitive bidding. We want to get that wholesale price down. The AER is predicting prices of \$90 per megawatt hour. That is unacceptable; we cannot allow that to occur in South Australia and we are working hard to do that. But, as I said, it is very hard when the opposition are the ones who broke up these assets. Given we don't control it like they do in New South Wales and like they do in Queensland, where the government runs these assets and is able to offer community service obligations, and it owns transmission, and it owns the poles and wires, and it owns the generators, and it is able to make decisions in the interests of consumers, instead we are at the mercy of the market.

Now, the AEMC made its final rule determination on 10 December 2015 which will amend the relevant provisions in the National Electricity Rules as follows. The current requirement that offers

be made in good faith will be replaced by a prohibition against making false or misleading offers. Any variation to offers—

Mr Marshall interjecting:

The Hon. A. KOUTSANTONIS: You are so predictable, I knew what you were going to ask. It is not as if you are hard to read. Mr Speaker—I've read some cheap books but you are a 25¢ book. I know the ending, I know how this ends.

The SPEAKER: Member for Schubert.

Mr KNOLL: Mr Speaker, I think you are worth well more than 25¢.

The SPEAKER: I was rather hoping it would be a point of order. Is the minister finished? Minister.

The Hon. A. KOUTSANTONIS: I will tell you how the story ends after question time. It ends up with you crying in your office, but we will talk about that later. The current requirement that offers be made in good faith will be replaced by a prohibition against making—and this is important, sir—false or misleading offers. Any variation to offers that are bid in good faith will need to be made as soon as practicable. A requirement to preserve a record of the circumstances surrounding late rebids will also be introduced. So when retail—

Mr Marshall: This is not even pertinent to the question.

The Hon. A. KOUTSANTONIS: This affects the price. To explain to the Leader of the Opposition how this actually works: the wholesale price influences the retail price; the wholesale price is bid. So I am talking about the bidding process. If the Leader of the Opposition doesn't understand it and is just, through nervous energy, screaming insults because it's not going the way he planned, that's not my fault. He is the most unpopular Liberal in the country. It is not my fault he told everyone to vote Labor.

Ms REDMOND: Point of order: the minister is engaging in debate rather than answering the question.

The SPEAKER: I uphold the point of order.

The Hon. A. KOUTSANTONIS: Through the COAG Energy Council, we are also conferring to the AER a wholesale market monitoring function. That monitoring function is very important. The AER will be required to publish on its website a wholesale market review report not less than every two years. We will be pursuing amendments to the national electricity law to implement this function every two years as a requirement. On 15 December 2015, the government held an energy industry round table, which brought—

Ms Chapman: Big deal!

The Hon. A. KOUTSANTONIS: 'Big deal!' The round table brought a representative group of large energy users, retailers, generators, networkers and market bodies to identify and discuss these emerging issues. The opposition are ridiculing that, but they all turned up, because business think this is important.

Mr Gardner: We are ridiculing your inability to understand the question.

The Hon. A. KOUTSANTONIS: No, you are ridiculing the round table, which is all about how you view consultation, because we are out there talking to the industry about how to fix this.

The SPEAKER: The Treasurer's time has expired. The member for Kurna.

STEEL INDUSTRY

Mr PICTON (Kurna) (15:32): My question is to the Minister for State Development. Can the minister inform the house of the challenges facing Australian steelmakers and any action that can be taken to ensure that we retain this strategic industry here in South Australia?

Ms Chapman: Yes, tell the Minister for Transport to build the O-Bahn out of Australian steel. That would be a good start.

The Hon. J.M. Rankine interjecting:

The SPEAKER: The member for Wright is warned, and the deputy leader will depart under the sessional order and, because she is a repeat offender, for an entire hour.

The honourable member for Bragg having withdrawn from the chamber:

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:33): She is destined for bigger things, sir.

The SPEAKER: The Treasurer is on two warnings.

The Hon. A. KOUTSANTONIS: Yes, sir. Sorry, I apologise. I thank the member for his question, and continued support of the steel industry and the many workers who rely on Australian-made steel for their livelihood. South Australia's Upper Spencer Gulf is the birthplace of this nation's steel industry. From the iron ore that was first used to feed smelters in Port Pirie and Port Kembla to the establishment of the Whyalla steelworks, South Australia has played a lead role in this industry for more than a century. However, rising imports and, in particular, cheap steel from China dumped—that's right, dumped—at prices below the cost of production are putting enormous pressure on the viability and profitability of local steelmakers. These Australian steelmakers need to be producing at capacity and capturing a significant portion of the domestic market just to fend off this unfair and unprecedented competition.

We welcome the preliminary findings of the Anti-Dumping Commission that dumped steel products from China appear to have caused material injury to the Australian steelmaking industry. The commission has imposed preliminary dumping securities on steel reinforcing bar (rebar) and steel rod in coil imported from China as part of an ongoing investigation into allegations of unfair and damaging trade. Any measures that the Anti-Dumping Commission can take to ensure South Australian steelmakers and fabricators have a competitive advantage against lower-quality imports will have this government's full support.

In South Australia, like the rest of the nation, we support our free trade, but it has to be free and fair. Our local steelmakers need the balance restored. That is why in December in Whyalla with Tony Dixon, the chief executive of the Australian Steel Institute, and the local member of parliament, the member for Giles, we announced at the Arrium Steelworks that South Australia would lead the defence of this country's steel industry.

All steelwork procured for public works in South Australia will now be independently tested and certified to Australian standards. Our procurement policies will be revised to specify that steel will have to be sourced from mills with Australasian Certification Authority for Reinforcing and Structural Steel third party certification and that steelwork be supplied from fabricators independently certified to the recently created National Structural Steelwork Compliance Scheme.

While in South Australia we have earmarked \$10 billion for public works, this is only a fraction of the \$200 billion that is slated for spending on infrastructure across the nation. The recent BIS Shrapnel analysis found that a shift nationally to 90 per cent local supply of steel for public infrastructure would increase annual domestic production to 1.5 million tonnes within the next five years alone. The study found that cumulative production of an additional 3.4 million tonnes during the five-year period would add \$4.3 billion to Australia's real GDP. There is only so much that we can do on our own, and that is why we have called a steel summit to be held in Adelaide next week to bring together—

Mr KNOLL: Point of order, Mr Speaker. If you will check your inbox—

The SPEAKER: Yes, I have checked it.

Mr KNOLL: And everything that the minister is about to say is related to that press release.

The SPEAKER: I do not uphold the point of order. I congratulate the minister's staff on their use of what H.W. Fowler called 'elegant variation' in their construction of this answer. Minister.

Mr Knoll interjecting:

The Hon. A. KOUTSANTONIS: I have not announced that here yet, but I will do it soon. We will be bringing together construction and building companies, industry groups, contractors, architects, steelmakers and fabricators to explain the aims of our steel taskforce and the terms of the new steel procurement policy.

At the summit we will be challenging the commonwealth government and other states to follow our lead to mandate Australian-standard steel and certified steel fabricators for future infrastructure projects. I raised this at the treasurers' conference and there was mixed support for it. There was obviously a balance to be made between procuring steel at an efficient price for taxpayers but also supporting the local industry, and I think we can meet that balance. South Australia and this government will stand up for the steel industry. The industry minister, Mr Chris Pyne, should stand shoulder to shoulder with us, and I encourage him to do so.

STEEL INDUSTRY

Mr VAN HOLST PELLEKAAN (Stuart) (15:37): A supplementary, sir: given the Treasurer's answer, will the government commit to using Australian-standard steel in the forthcoming upgrade to the O-Bahn?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:37): What we have announced is a new policy that is prospective, not retrospective. I will take the question with a bit more sympathy if the opposition were not planning, if elected, to cancel a whole range of infrastructure projects like the Torrens to Torrens which is using a lot of Australian steel. So I find the question quite frankly to be not quite authentic because the truth is this: we are investing in public transport and the opposition do not like it. They do not like us investing in public transport and, quite frankly, I am proud of our investments in public transport. We will be doing all we can to make sure that the \$10 billion spend that we have uses the policy that we have in place for the procurement of Australian steel.

ELECTRICITY PRICES

Mr VAN HOLST PELLEKAAN (Stuart) (15:38): My question is to the Minister for Mineral Resources and Energy. Has the government investigated what the impact of South Australia's high electricity prices will be on job creation over the next three years?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:38): Yes, we have. In fact, it is a critical part of our Economic Development Cabinet Committee. We had a very detailed briefing from the agency to members of that committee just last week. I am very concerned about the lack of interconnection to other markets as a result of the privatisation of our assets in the 1990s. That interconnection in today's money is very expensive and, unfortunately for us, because we do not own our assets any more, we cannot use revenue generated from those assets to invest in that interconnection.

The only way we can do it is either offer a community service obligation to the regulator or to AEMO or to ElectraNet to then build that themselves—and we use taxpayers' money to do it and we have no asset to offset it—or what we will have to do, what has been foisted upon South Australians ever since members opposite privatised ETSA, is have higher power prices and higher user charges to upgrade the utilities through the infrastructure, that is, the poles and wires, the transmission lines, which has seen a lot of our infrastructure upgraded by taxpayers paying higher bills. South Australians are rightly angry about this because they have paid for ETSA in full. They owned it and it was sold out from underneath them, and we don't have that income earning asset any more to invest in this infrastructure, and that is a real shame.

I think the real contrast to that today is SA Water, a government-owned utility, that has not the highest priced water in the country even though we are in the driest state in the driest land. Even though our landmass is on a par with Queensland's and much larger than Victoria's, our population is smaller, yet we get water at postage stamp pricing. So, no matter where you live, how far away you are from the water source, you pay the same and, in the driest state in the driest country in the world, that government owned asset under independent regulation is not the highest priced utility in

the country; in fact, it's mid-range—it's mid-range—and we have the second lowest sewerage prices in the country.

That's what government ownership can do. Government investment in government owned assets can do that. We don't have that with ETSA. We weren't investing every year in interconnection with New South Wales and Victoria. Why? Because they sold to the private sector, and all the private sector wanted to do was make a return. All they wanted to do was to make a return, but they didn't invest in the infrastructure that would lower their prices long-term. But if we had any of those assets, what would we be doing? We would be making sure that our small businesses and our manufacturers have access to lower power. That's why he built it, Mr Speaker, that's why he built it. That's why Tom Playford built ETSA: to give our manufacturers cheaper power. What did they do? They sold it, and now they are complaining about higher prices. Quite frankly, Mr Speaker—

Mr Marshall interjecting:

The Hon. A. KOUTSANTONIS: The rantings of a desperate, desperate man in a dying leadership—and the fake laugh's not working any more, because the polls are working, Mr Speaker; they're getting to him.

Members interjecting:

The SPEAKER: I think the Treasurer is finished. For the benefit of *Hansard*, the reference to 'he' was a reference to Sir Thomas Playford. It's very hard to render in *Hansard* the Treasurer pointing in a frenzied manner at the former premier's portrait on the wall. Member for Stuart.

ELECTRICITY PRICES

Mr VAN HOLST PELLEKAAN (Stuart) (15:42): My question is to the Minister for Mineral Resources and Energy. Was the state government advised that the closure of the Port Augusta power stations would drive up the cost of electricity across South Australia and, if so, what was the government's response?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:42): That question presupposes: if the advice was yes, would we invest in our brown coal-fired power station that we had privatised previously, and the answer is, no, Mr Speaker, we would not be trying to bail out a coal-fired generator. We're not going to, and the reason we won't is that's old technology. And the reason that the coal-fired generator is not working is because, quite frankly, it wasn't being run as efficiently as generators in Victoria. Why? There's no carbon price any more, which members opposite supported, so that's pricing gas out of the market.

Mr Speaker, what that means is that all of a sudden coal generators in Victoria with coal mines right next to them with very low transport costs, as opposed to Leigh Creek, which had very high transport costs, became inefficient. So, the reason that Leigh Creek is closing is because the government didn't own the asset. So, the question, Mr Speaker, is washed in politics—washed in politics. They are trying to set traps, trying to avoid blame, but there is only one guilty party here, and that's members opposite.

ELECTRICITY PRICES

Mr VAN HOLST PELLEKAAN (Stuart) (15:43): My question is again to the Minister for Mineral Resources and Energy. Has the government undertaken any modelling to assess the impact of increased wind generation on electricity prices to households and businesses?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:44): Well, Mr Speaker, we think wind power generation in this state is a virtue, not something we should be ashamed of or think is going to hurt our electricity market.

Mr Pisoni: As long as someone else pays for it.

The Hon. A. KOUTSANTONIS: Again, you will notice the interjections are riddled with—

The SPEAKER: The member for Unley will leave, under the sessional order, for the next hour, being a repeat offender.

The Hon. A. KOUTSANTONIS: Mr Speaker—

The SPEAKER: Could the Treasurer pause until the member for Unley removes himself.

The honourable member for Unley having withdrawn from the chamber:

The SPEAKER: Minister.

The Hon. A. KOUTSANTONIS: As I was saying, wind generation is not the evil that members opposite think it is. In fact, it lowers our carbon footprint dramatically. Once the investment is sunk in, it generates very, very low-cost energy. The one failing that it has—

Members interjecting:

The Hon. A. KOUTSANTONIS: The one failure it has, Mr Speaker, is that it is not dispatchable 24/7. I know that members opposite—

Mr Marshall: We would never be able to work that out before we advocated for the model!

The Hon. A. KOUTSANTONIS: Oh, 'advocated for the model'.

The SPEAKER: Could the Treasurer supply information to the house without continual reference and reflection on members opposite?

The Hon. A. KOUTSANTONIS: Yes, sir.

The SPEAKER: Thank you.

The Hon. A. KOUTSANTONIS: Our wind farms are an asset to this state. In fact, when they get into the market they can bring prices dramatically down, but, of course, that has to coincide with demand and that can be quite difficult. The government is investigating ways to try to offset that, to make wind more efficient. There will come a time when the large majority of wind farms being in South Australia will become a very important economic factor in this state and quite an important economic advantage, and this is why.

Once we have an efficient way to store power, and that's obviously commercial on a mass scale, and there are lots of ways in which a lot of the retailers are looking at that through very large batteries or, of course, in situ batteries in people's own homes—we can have time and price metering in place, eventually. Once we do that, wind becomes a lot more stable. People can charge their batteries at home and use that very, very cheap power to get through the peaks and troughs.

But, ultimately, there is not one simple answer to this. This won't be fixed with slogans. It won't be fixed with slogans, it will be fixed by doing the hard yards: the changes to the National Electricity Rules, more interconnection and lobbying the regulator to have more interconnection. I would like to see more interconnection with New South Wales and more interconnection with Victoria. I would like to see more efficiency in our electricity grids, and I would like to see the development of microgrids in and amongst our suburbs, which will see more efficiencies. I also point out, in my closing remarks, that we took an energy policy to the election; members opposite didn't.

MODBURY HOSPITAL

Ms BEDFORD (Florey) (15:47): My question is to the Minister for Health. Can the minister tell the house how the new facility at Modbury Hospital will provide better health services for residents in the north and north-eastern suburbs?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (15:47): Can I thank the member for Florey for the question and, of course, again acknowledge her longstanding dedication to the Modbury Hospital on behalf of her electorate. Last week, we reached a milestone for Transforming Health and the Modbury Hospital. With the start of construction of the new multimillion dollar building at Modbury Hospital, people in the north and north-eastern suburbs are a step closer to having more health services closer to home.

The current configuration of our health services in Adelaide doesn't reflect the population shifts towards our rapidly growing northern suburbs. Recently, I learned that only around 55 per cent of people in the northern area are treated in local hospitals.

Members interjecting:

The SPEAKER: Would the minister be seated? The Minister for Investment and Trade and the leader will cease their quarrel. Minister for Health.

The Hon. J.J. SNELLING: In central and southern Adelaide, around 88 per cent of patients are treated in their local area. One example is that currently up to 30 amputee patients from the northern suburbs have to go to the Central Adelaide Local Health Network for their acute and ambulatory rehabilitation every year. This number is expected to rise because of diseases such as diabetes.

Instead, under Transforming Health, Modbury Hospital will keep these people in the north, closer to home, and offer a true, comprehensive, multidisciplinary model of care. That's why investments like the new ambulatory rehabilitation centre are crucial. By building up Modbury Hospital, we can focus on elective surgeries and rehabilitation. It will enable more than 3,000 extra patients to be seen, and around 1,800 more elective procedures a year will be able to be performed at Modbury Hospital. This will give the north and north-eastern residents faster access to elective surgery and fewer delays.

The new building will include 18 treatment rooms, a gym, a hydrotherapy pool, a laboratory for analysing mobility, prosthesis services and a kitchen where clients can relearn and practise everyday tasks. Moving services also enables the Lyell McEwin Hospital to focus on emergency and complex surgery, including a comprehensive 24/7 orthopaedic trauma surgery service providing faster access to orthopaedic surgery.

I am pleased to see the government's \$32 million investment in the Modbury Hospital is now under way. It will create 1,000 jobs during construction, with around 130 workers expected to be on-site at any given time, and it stands as a symbol of the government's investment in the hospital's future. Unlike some members, the government is not privatising Modbury Hospital and we are not running it into the ground: we are setting it up for a very bright future, delivering health services to more local residents.

ALCOHOL AND OTHER DRUG STRATEGY

Mr DULUK (Davenport) (15:50): My question is to the Minister for Mental Health and Substance Abuse. Can the minister advise why funding for the Treatment Intervention Program ceased and funding for the Aboriginal Connection Program reduced despite it being reported that both programs were effective and exceeding KPIs in the government's 2014 Alcohol and Other Drug Strategy Progress Report?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (15:51): I thank the member for Davenport for his question. The 2014 South Australian Alcohol and Other Drug Strategy Progress Report demonstrates the government's ongoing multi-agency approach to this area. Certainly, of the 60 different points that were done in the report, the vast majority have been implemented. Only one is marked as red and not being pursued at this point in time. One reason for that is because of the federal government changing the way in which it chose to progress funding in that area, and another one is in relation to a change of portfolios to the Attorney-General's budgeting area.

ALCOHOL AND OTHER DRUG STRATEGY

Mr DULUK (Davenport) (15:51): Supplementary: can the minister advise when the work will commence on the next five-year strategy and if and how communities will be able to participate in that program as outlined in the 2014 report?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (15:52): Work is currently under way on the development of the strategy and the execution of the last plan and the future plan.

NORTHERN ADELAIDE FOOD PARK

Mr ODENWALDER (Little Para) (15:52): My question is to the Minister for Agriculture, Food and Fisheries. Minister, can you advise how many businesses have registered their interest in the

Northern Adelaide Food Park, and how is collaboration within industry and within government providing new opportunities for South Australian businesses?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (15:52): I thank the member for Little Para for the question and commend him on the work he is doing for the people in his region as northern Adelaide faces transition from manufacturing based largely around General Motors Holden to something that will look different in the future.

I must say that the Food and Wine Report Card released by the Premier and me last month shows that the growth in food and wine in South Australia has gone up \$1.1 billion, that is, from \$17.1 billion to \$18.2 billion, and 144,000 people (or one in five) working South Australians are employed in the agribusiness sector. So, it is a sector that is doing particularly well. It has always served us well, right back to 1836 when the first European settlement happened in South Australia.

What we are doing as a government is working side by side with the industry, and, while we have always been great primary producers, it is that secondary manufacturing that is happening and the value add that is really increasing the bottom line to South Australia's food and wine economy.

When we listen to the food manufacturers, a lot of them are seeing such growth that they are outgrowing their existing premises. Some are facing pressure from neighbours because they need to operate longer, throughout the night in some cases. Some are having disputes with their neighbours over smells and sounds and other things. They thought it would be a good idea if people could come together in one space. We have had more than 40 companies put in their registration of interest so far. They include food manufacturers, cold chain suppliers, food manufacturing specialists and, of course, transport specialists.

The feeling is that to aggregate and bring together into one space those who want to come in there will be very beneficial for the food manufacturing sector in South Australia. That is not to say it will be for everyone, because some already have premises that they have invested large amounts of money into and they are happy to stay where they are, but for those who want to come in, we encourage them to keep going through the process with us for the Northern Adelaide Food Park, which will be based at Parafield Airport. Parafield Airport Ltd is actually doing work at the moment on the masterplan for the site and working with several government departments on what it will look like.

The other thing we are doing is trying to make sure that we show off the great food and wine that we have in South Australia, not just to people overseas or interstate, but indeed the people of South Australia. Next month, we will have the Adelaide Cellar Door Festival, and each year we try to grow the festival. More than 9,000 South Australians come through there over the weekend. It started out as a wine festival, but now food producers are in there as well showing off their wares. I encourage everyone, if they get the chance, to get down there and have a look at this fantastic festival.

For the first time, we are going to have a beer garden where we will show off the craft brewers of South Australia. Isn't that a boom industry? It is one that I am sure all MPs are keen to get out to and do a few site visits, whether it is Tom and Sarah up at the Wilkadene Woolshed Brewery near Renmark or down at Goolwa or down in my electorate—we have three in the seat of Mawson. There is a good one down at Robe now; the member for MacKillop has probably been down there.

Mr van Holst Pellekaan: There's one coming to Burra.

The Hon. L.W.K. BIGNELL: Yes, there's one coming to Burra. There is already one in Clare—there are actually two in Clare. So, I encourage the growth of the craft brew industry in South Australia and encourage everyone to get down to the Cellar Door Festival at the Convention Centre.

Time expired.

EARLY CHILDHOOD EDUCATION

Ms DIGANCE (Elder) (15:56): My question is to the Minister for Education and Child Development. Minister, could you update the house on the government's plan for early childhood?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (15:57): Thank you to the member for her question. We have known for some time the importance of early childhood in the subsequent life chances of the people of this state. We know that, from the evidence about neural development in the early years, if certain interventions do not occur early, then the challenge before young people becomes so much harder as they head into their school years. We know that that is the case for not only the year prior to school, but in fact even earlier than that, and it is crucial that we keep our focus on those early years.

What is also evident is that disadvantage tells: it makes a big difference. In fact, for children who come from a disadvantaged background to start school behind their peers, the chances of catching up become more and more remote. So, what we do early counts for every child, but it counts still more for children from disadvantaged backgrounds. By that I do not mean necessarily backgrounds where there is not a lot of money: what I mean are households that are educationally disadvantaged, where education is not valued, where books and reading are not valued, and where numeracy is not part of the child's daily life.

Unfortunately, children in households of that nature tend to start school with smaller vocabularies and never catch up, and start school with an attitude towards numeracy that is never righted, that never becomes positive and embracing. Unfortunately, the evidence also shows that, for those children, the better they are at literacy and numeracy, the better their chances are of earning a higher income in the future, so it really matters.

What we have done in this government (and far pre-dating me) is put a real emphasis on how we treat the very early years and the year of preschool. One of the things that have occurred across the country that we have been participants in is to change the ratio of the teacher, educator or early childhood worker to the number of children in their classes. That commenced at the beginning of this year all across Australia. We have moved, for most kids in preschool years, from 1:13 to 1:11, and importantly, for the preschools that are disadvantaged, to 1:10. That is a move that I understand has been welcomed broadly.

We have also been able to increase the number of children's centres. The idea is that it is not just about preschool: it is also about having access to child care, it is also about having access to the allied health services, and it is also about having prenatal care for mothers who are expecting a baby. The children's centres have the facility to bring together that range of matters—

Dr McFetridge: How are we going with Closing the Gap?

The Hon. S.E. CLOSE: I have heard an interjection—which I am sure I am not allowed to do—referring to Closing the Gap for Aboriginal children. I am still unhappy about, obviously, the extent of disadvantage that is experienced within the Aboriginal community, but heartened that we have the highest enrolment in preschool for Aboriginal kids in the country, and that must make a difference. That must make a difference because getting support early for kids makes a difference, and it particularly makes a difference for kids who are starting behind. The other point I would like to make—I can't; I've run out of time.

The SPEAKER: The member's time has expired.

Grievance Debate

PUBLIC TRANSPORT

Mr WINGARD (Mitchell) (16:01): I rise today to speak about some key transport issues in my local community. Moving from the shadow responsibility for transport and road safety, I just want my community to know that these issues are still very dear to my heart, and I will still be working very hard to get an outcome for our community.

It has been an interesting time recently. Having been in the transport portfolio for quite a while, I did really enjoy that portfolio and working with a lot of people in our local area. We raised a number of issues and we did our very best to hold the government to account. Again, as I stressed, I will continue to do that throughout my time in this place.

Of particular interest to me as the shadow minister were the great people I met. In particular, there were a lot of people who were very passionate about trains. One such person was Michael Kohler, who shared a lot of knowledge with me about trains along the way, and would often ring and have a chat. In the past few months, he would ring to tell me a few things. Often, by the end of the conversation, I would inform him of more things than he would inform me, which meant that I was getting a very good understanding of trains and transport. It was a great time.

Of course, in my electorate we arguably have the key train issue across the state, and that is the Oaklands crossing. We have mounted a campaign to find a solution and get a fix for this. We have been questioning the government and the minister, and have asked him to come down to the Oaklands crossing and look at the problem—a problem that has been ongoing for 30, 40, and even 50 years, as I am often reminded by people in my electorate and the community.

We have inquired with the government and put in a few freedom of information requests to find out some information about what the government is doing. We asked them to let our community know what is happening, and unfortunately we have been denied access. We are still fighting to get this information.

We know that the government is looking at the issue, but we have to know the plan and the strategy to get this crossing fixed. A great team of people called the Oaklands Crossing Champions have come out and helped us campaign to get this crossing fixed. We will continue with that work. It has been great to see the people who have come out and supported that campaign.

I want to raise Darlington as well. We know the project that is going on there. As we count the launches the state government had to unveil this project, we got up to 5.0, which is good if you are in iPhone, but not so good if you are doing a project that involves a road campaign. The government sold it five times before they finally got moving on it.

I know there are some ongoing issues with land acquisition. Some businesses are having difficulty in getting clarification and closure on the land acquisition and the destruction of their businesses along that strip. In fact, I was dealing with one business today, Bedford Park Crash Repairs, which is having all sorts of trouble dealing with the government and facing a lot of frustration as far as that is concerned.

A number of other businesses along the way include: Bloomers Florist, Hair Like That, Flinders Computer Systems, Specialty Trophies, Sea Blue Thai Massage, a deli up there, and the Sahara Pizza and Kebab House. I know the member for Davenport has worked with these people as well, and the way they have been dealt with really has left a lot to be desired. We understand the need to acquire the property to do a project. There is not an issue there; it is just that the manner in which these people have been dealt with has, as I said, left a lot to be desired. We will keep a close eye on the Darlington project.

In the light of the fact that the Darlington project is going on, the Sturt Road/Marion Road intersection touches on the boundaries almost of the seats of Elder, Davenport and also Mitchell, and I have had a lot of people contact me about that intersection. Work is being done there to improve that intersection before the real work begins up at the Darlington intersection where South Road meets Sturt Road. One of the key factors about this upgrade of the Sturt Road/Marion Road intersection that has been raised with me by a lot of people in my community is that it will congest the area down towards Diagonal Road and Sturt Road.

I asked the minister just before Christmas how that was going to play out. The acting minister for transport at the time sent me a response that said that the work they had done showed that there would not be any impact on that intersection, the Sturt Road/Diagonal Road intersection, nor any impact flowing down to the Oaklands crossing.

The people in my community are not so sure about that, and we will be keeping a very close eye on it. In fact, to quote the acting minister for transport:

I am advised by DPTI it is not expected that there will be any direct flow-on impacts to the Sturt Road/Diagonal Road intersection and subsequent downstream locations during the Marion Road/Sturt Road construction, nor during the implementation of the Darlington Upgrade project construction.

I will be keeping a very close eye on that, because there are concerns that the ongoing Oaklands crossing could be made worse in weeks and months to come, and potentially longer. That is another key issue.

Time expired.

HEALTH AND HOSPITAL CARE

Ms BEDFORD (Florey) (16:06): Our health is arguably our greatest asset in life and for each of us, maintaining and caring for it is our greatest responsibility. There have been many changes in health services and their delivery over the years. I remember as a child in the 1960s visiting the local doctor, and home visits by him. Dr Walker knew every family in our suburb. These days, not everyone has a regular GP, and that does limit the national health snapshot and long-term histories of our wellbeing.

As some may know, babies were always delivered at home prior to the war, and we have since witnessed a progression of maternity services through various models of care. In my own case, my children were born at the Queen Victoria Hospital, the forerunner to the Women's and Children's Hospital which, along with the Flinders Medical Centre and the Lyell McEwin health service, now offers excellent birthing arrangements, and there has never been a time when women have had better access to information and services for this special event in their lives.

But perhaps it is not until we utilise health services that we truly appreciate what is available in the 21st century here in South Australia. Sometimes, despite best endeavours, misadventures and accidents bring great sadness, or people become part of our health system for long periods of time. Lately, a friend's son underwent an exploratory colonoscopy that has resulted in a colostomy and the prospect of ongoing chemo or radiation, as with another gentleman I know with prostate cancer. Their experiences of health services have overall been good, but I urge everyone, as I have them, to bring any concerns they have to the attention of their health providers or local MPs, for without feedback it is impossible to know how to improve health service delivery. After all, health providers do health every day, while for the rest of us it is often our early interaction or the first of many.

I have experienced several health emergencies and needs in my life, some crushing, but others with happy endings. Only recently, my daughter gave birth to her second child at home on the bathroom floor, with the assistance of Chantelle and Brad from the SA Ambulance Service. They arrived just in time to deliver baby Jade, just after my son-in-law returned from his workplace. From the time I phoned 000, although it seemed to be a lifetime, it was only around 10 minutes until we heard the siren, and then only a further 10 minutes until her big brother Nate and I heard the first amazing cries of the newly born member of our family

After a trip to the Flinders Medical Centre to check all was okay, my daughter was well enough and happy to come home. I cannot thank enough the amazing paramedics who serve us all. This was a happy event, but more often they are exposed to the worst situations, which must place a heavy toll on their emotional lives, not to mention their physical safety, as all too often now we hear horror stories of wild and aggressive people attacking these vital first responders and staff of our emergency departments. I am in awe of their service to the community and put on record on behalf of my constituents my sincere thanks for their years of training and dedication to their professional vocation. Through their union and the leadership of their secretary, Phil Palmer, paramedics are also making a crucial contribution to the Transforming Health process.

Long before and since moving to Modbury Heights in 1976, I have had an abiding interest in health services, particularly now in the north-east. This was prompted by previous employment in the private health insurance sector, firstly with the Druids Friendly Society, then operating as National Health Services Association Branch No. 1 and then with my transfer to Medibank in its very early days. I witnessed the two-tier health system and saw how fixed-rate contributions were vastly inferior to the sliding-scale levy that saw everyone who earned a wage contribute to the health system.

Changes to health procedures and the expectations we all have as times, and research and development, most recently through the Florey Research Foundation in the neurological area have seen such enormous advancements, mean that it is always prudent to plan well ahead for an equitable and accessible functional health service.

The failed privatisation of public hospitals experiment—Modbury Hospital was the first and plans for the QEH to follow soon after crashed after a public outcry rightly pointed out how flawed this option would be. The Modbury Hospital Local Action Group worked hard to bring Modbury Hospital back to the public control, and the mass exodus of staff stemmed. We have a strong and loyal workforce at Modbury public hospital, the wonderful Modbury Hospital Foundation and an exceptional band of volunteers, and the community is justly proud of them all.

But constant undermining and innuendo continue, and while we have seen massive government investments in hospitals, particularly Modbury Hospital and the Lyell McEwin health service, it is hard to understand why this rumour mongering persists. These two hospitals will be the backbone of provision of a full and comprehensive health service from now on, and I urge anyone who has any interest to take advantage of the open days that will soon be arranged for you to look at these sites.

Our role is to make sure we have an efficient and integrated health service and that people know how best to access it. With an ageing profile, rehabilitation will become a bigger part of our needs. Modbury Hospital will soon be well placed to play a role in this. The hospice service is highly acclaimed and valued and has earned an exceptional reputation.

Into the future we will see a hospital visit as brief during the acute phase of any condition that besets us. Home support will ensure good recovery in the safest of surroundings, our own home. I have always thought everyone should have a first-aid certificate and a better understanding of how our bodies work. It is terrible that we go to strangers when we are sick and expect them to know exactly what is wrong with us in the first five minutes they see us.

Time expired.

ILLCIT DRUGS

Mr DULUK (Davenport) (16:11): Unfortunately drugs continue to have a damaging impact on our society. Challenges around unemployment, homelessness and domestic violence are being exacerbated by the destructive use of illicit drugs and lives are being put at risk. Illicit drug use is a problem that has permeated through our community and it is leaving a trail of destruction—parents, grandparents, siblings, children, men, women, young and old, are being caught up in this indiscriminate web.

The use of ice is ruining individuals, destroying families and hurting communities. It is not just a health issue, it is a social issue, and it is an economic issue. The economic impact is significant and growing. Ice addiction affects the user physically, mentally and behaviourally. Ice addicts place a huge burden on our healthcare system, our emergency departments, mental health services, rehabilitation centres, not to mention the economic impact of road crashes, policing and court costs.

There is also the burden on workers, ambulance officers, police, doctors and nurses. Paramedics are struggling to cope and fear for their lives. Hospital staff restrain and sedate ice users in various states of psychosis every day and there is a huge cost to families. Family and friends can be significantly affected by a person's drug use and may need support themselves and often do. Perhaps the most frightening aspect about ice addiction is that the problem is expected to get worse. We need action now on this very important issue to help individuals, to help their families and to help our communities.

The recent National Ice Taskforce report found that South Australia has the second highest rate of ice use in the country at 1.4 per cent of the population—the second highest—this is above New South Wales, above Victoria and above the national average of 1.1 per cent. The government in this area has dropped the ball. In many small towns and rural communities there are limited or no rehabilitation or support services. In the city, it is very hard to access existing services which are at capacity. In most cases there are lengthy delays for treatment for people with this scourge.

The annual progress report on the government's South Australian Alcohol and Other Drug Strategy 2011-2016, reflects the poor standard that the government has set in this area. The 2014 report was only released at the end of 2015. It is of substandard quality and raises more questions than it answers. It is just another bungled report from this tired government and the tip of the iceberg of the problems transcending the government's health policy.

Talk to the police, talk to the ambulance officers, talk to the hospital staff and they will tell you that we have a serious problem. Talk to your constituents; I have talked to mine. Last year, together with the member for Fisher, there was an Aberfoyle and District Lions Club ice and community drug forum. It was extremely well attended and I know the people who presented at that forum certainly left the community in no doubt about the strains they are facing on this particular issue.

Additionally, late last year I met with several families in my electorate who are currently being affected by the scourge of ice. They have told me how ice is destroying the lives of their loved ones. They have told me how ice has turned their beautiful children into lost souls. They have told me that they feel helpless in dealing with this epidemic. My constituents have told me of their personal stories and their experiences, and they are really difficult experiences. They have told me about the problems they have accessing services from this government. Areas, including health services, both public and private, are stretched and do not know to cope with this scourge. We have a problem in our health services around enforcement and support in dealing with this issue.

Constituents have told me of the limitation of specific services for substance dependent individuals. We have problems because positions are not available in the public and private sector due to budget constraints; physicians and officers are not trained in the area; the separation of mental health and drug support in the provision of services in South Australia; of course, the stigma associated with substance dependency hinders people's treatments; and there is a cultural association within the media resulting from the stigma of the drug as well, which hinders our efforts to help people with drug addiction.

Two specific problems are a lack of services for people with an ice addiction, including a lack of services at the Woolshed and at the Adelaide Clinic, which are really the only two main services that deal with this issue. We need to do more at a state level. It is important that we take the lead on this issue, but we must do it now and we must understand that this fight really is a partnership between government, individuals, law enforcement agencies, health, education, industry, NGOs, community leaders—you name it, we all need to be in on this problem.

MEDICAL CANNABIS

The Hon. S.W. KEY (Ashford) (16:16): It is interesting that both the member for Davenport and the member for Fisher have been looking into the area of drugs, and drugs in our community. I want to talk about something on a slightly different level, in that I am really keen, as a result of phone calls I have had and people who have spoken to me about South Australia looking at the clinical trials and introduction of cannabis products.

As we know, New South Wales has had these trials going for quite some time. In December 2014, the New South Wales government said that there would be three clinical trials to explore the use of cannabis and cannabis products in providing relief, first of all, for children with severe drug-resistant epilepsy, through a partnership with The Sydney Children's Hospitals Network; adults with terminal illness, focusing on improving quality of life and symptoms such as pain, nausea and vomiting; and adults with chemotherapy-induced nausea and vomiting where standard treatment had proved to be ineffective.

Although a number of members may find this unusual, I have been very supportive of the approach taken by the New South Wales Premier, Mike Baird, and also the Minister for Medical Research, Pru Goward, when they said:

We do not want patients or carers having to play pharmacist—that is why it is so important to explore the safest and most effective ways we can deliver compassionate care and improve the quality of life.

They went on to say that their trials, they believe, will help New South Wales be at the forefront of world-class research in this area, and explore how they can complement the palliative care treatments and therapies patients receive. Also at this time the AMA New South Wales President, Dr Saxon Smith, while welcoming the New South Wales program on this matter, warned that it was important to distinguish between using cannabis as a medical treatment and using it as a recreational drug. He also stated that there can be health risks associated with using marijuana and cannabis, as well as additional potential harm for smoking it. Using it as a medical treatment, on the other hand,

is about isolating the chemicals with potential use as medicines and identifying how they can help patients.

I am raising this in particular because I have been made aware of a number of people who are suffering from a number of different serious ailments, in some cases terminal illnesses. They have been using marijuana and different cannabis products to assist their particular medical situation.

While in the cases I have heard about people seem to think this has been helpful to them, I am very worried about the fact that, as I said earlier, people are basically acting as pharmacists without the information that they need to know for what they are doing. I am particularly concerned if people are smoking marijuana because we all know the health problems with smoking anything let alone marijuana.

While this might seem a very interesting position for me to take, I would urge the South Australian government to closely monitor what is happening in New South Wales. I am advised by minister Vlahos that, in fact, this is what has been happening, and also minister Snelling, that we have been following the New South Wales trials and that we will be looking to them to see what application is appropriate in South Australia. I hope that this matter can be dealt with very quickly because there are a number of people out there who really need this support and this medical treatment.

HARTLEY ELECTORATE

Mr TARZIA (Hartley) (16:21): I rise to speak about some events that I have had the pleasure of attending to support members of my community in Hartley. Yesterday I had the good fortune, along with many members here, to attend the SACE Merit Ceremony 2016. I want to congratulate the students who were lucky enough to have been awarded merits in respective subjects. One particular student, Isaac Nakone, of Rostrevor College attained six merits which is an absolutely outstanding feat. He and many other local students are extremely fortunate in our area to have wonderful schools, both public and private, which have given them a solid foundation when it comes to secondary education.

I also want to congratulate the families who have supported these students through their schooling, the parents—and also the teachers and the students themselves—because without a strong support mechanism at home and in the classroom the students simply cannot excel. I have no doubt that they will all go on to do bigger and brighter things and will do exceptionally well because of the great education that this state has provided to them.

I also attended last week the Payneham Bowling Club. I do these visits from time to time. I thank Richard Law who was good enough to show me through the premises that night. It was great to see that the Night Owls were alive and well and thriving, and to see hundreds of bowlers that night.

Mr Pederick: Barefoot?

Mr TARZIA: There were a couple of barefoot bowlers, absolutely. I know the colleague to my right is a keen supporter of bowls, as is one of the former members for Hartley Joe Scalzi. The Payneham Bowling Club provides fantastic hospitality. They do meals, they have functions, they are very welcoming to the public and they also have big bold plans for the future of bowls. It is encouraging to see that they are also looking at innovative ways to promote bowls to the next generation which is exceptional. I thank them for their hospitality and pledge my ongoing support for that organisation along with the other bowls organisations in my electorate. Kensington Gardens Bowling Club is another organisation that I was able to visit recently. I thank Peter and the committee for their hospitality for allowing us to get their thoughts and their aspirations for the club. We are here to support them in whatever way we can.

I also welcome the new Italian Consul to South Australia, Dr Roberta Ronzitti. It was a great pleasure on 4 February to attend the opening of the new offices of Com.It.Es, Dante Alighieri Society and also CO.AS.IT. reception was held that day and it consisted of a double ceremony not only to welcome the consul but also to officially welcome those new officers. It was great to see so many parliamentarians present.

I would especially like to pay tribute to His Excellency Pier Francesco Zazo, the Italian ambassador in Australia. I would like to thank all those who collaborated: the president of the SAIA, Phillip Donato, and the former president of the SAIA, Charlie Zollo, who made that event possible. I welcome with warmth Dr Ronzitti, the new consul. I have no doubt that, following her post in Mexico, she will do a fantastic job in South Australia. The community fought very hard to maintain consul presence some years ago. It was reassuring to hear from His Excellency Pier Francesco Zazo that the consul is here to stay.

I would also like to speak a little bit about the Sri Lankan Independence Day celebrations that I had the fortune of attending last week, a wonderful event on Friday night. I thank Dr Perera and his committee for all that they did, and also the Hectorville Cricket Club for putting on an annual Twenty20 cricket challenge day. I would like to congratulate Bill Leo the captain of the Twenty20 Hectorville Cricket Club.

DRUG AND ALCOHOL INCIDENTS

Ms COOK (Fisher) (16:26): I wanted to speak today on a subject that is dear to my heart after having some reflection over summer around my reasons for being here. In Australia summer is intrinsically linked to celebrations of Christmas, family times, beaches, festivals and happiness; but unfortunately for many in our state happiness does turn to tragedy as a consequence of alcohol or drug related incidents. Our lives change forever, and my family and friends know this all too well.

Last year, our southern community was shocked by the drug induced death of 22 year-old Jarrod Almond. He lived only 500 metres from my home. He went out one night for fun and made a decision which saw him dead by the end of that weekend. His family have been left to grieve for a lifetime. In December, I was again devastated by the drug deaths both in Sydney and then in Adelaide at Stereosonic's festival—young people to never live their dreams and families left to wonder why and to grieve.

I submitted an opinion piece, which I want to read in its entirety, particularly for those opposite who chose to take one sentence out of context and unsuccessfully and ridiculously politicise it for their own gain. It is an issue in front of mind for parents, youth, health and community workers, police and educators, so here it is.

Every time I hear about a young life lost I feel crushed and heartbroken for family and friends. My heart goes out to the family of a teenager who lost his life here in Adelaide, Stefan Woodward, and also the family of Sylvia Choi, who lost her life in Sydney last weekend. Music festivals are an important part of growing up, and Stereosonic is today's Woodstock. For a long time, drug taking has been part of the scene. Substance abuse is a centuries-old problem, but the drugs have become a lot harder, more dangerous and harder to combat.

Festivals are not the problem, and we need to be wary of reactionary calls to shut them down or pin blame on the organisers who have worked very hard to provide water, shelter and medical responders at these venues. The vast majority of attendees get home safely. We need to ensure that we have the safest venues possible. Shutting down festivals risks pushing them underground and reviving the culture of the rave, which is basically a pop-up festival run often in unused warehouses without any regulation.

Whilst the reports on the deaths have not been finalised, it is widely reported that both the people who passed away were taking the illicit drug ecstasy, which is a common party drug and which has unfortunately become part of the scene at Australia's music festivals, as well as other illicit drugs such as methamphetamines. Drugs are not unique to festivals. We see them in licensed venues and in homes as well.

Drugs and alcohol are at the heart of most social issues such as community violence, domestic violence, antisocial and other criminal behaviours. Like all social issues, we must have a measured and evidence-based response to them. Social change needs government, non-government, parents and peers to work together towards a solution that addresses primary prevention, harm minimisation and legislative response. Parents must educate themselves so that they can have informed conversations with their kids. Educators must use engaging formats to involve school students in programs that will leave a lasting impression, and other agencies must target young adults and remind them also of these messages.

Festival organisers must keep working with all sectors to ensure all these harm minimisation approaches such as the warning messages, adequate water, shelter and medical responders are front and centre at all events. Young people are hardwired to take risks. It is up to us, the community, to be ready to respond to changes in behaviour and habits that make these risks so dangerous.

Is our zero tolerance policy causing more harm than good? Are we doing the best in terms of implementing harm minimisation strategies? Of course, we need to stop drugs being sold. We need to do as much as possible to stop dealers getting into festivals, and punishment must also be a deterrent, but what about our approach to the attendees of these festivals?

There is conjectural evidence that an overbearing police presence and zero tolerance policies are forcing partygoers to take unnecessary risks, such as overloading on drugs before the festival, which are having a greater health impact on users. I do not support yet the implementation of strategies like tablet testing stations, as I see little evidence so far that this works and it sends mixed messages that drugs can be safe when I do not think anyone can say that categorically, but we do need to challenge our thinking.

The answers are not easy. Organisers, government, partygoers and the community need to all step up and work together to ensure that we have the safest community possible and we stop these needless drug-related tragedies. Implementation of evidence-based, harm minimisation health and education policies born out of community engagement will ensure that our kids come home, and that is why I entered this place.

Parliamentary Committees

PUBLIC WORKS COMMITTEE

Ms DIGANCE (Elder) (16:31): By leave, I move:

That the committee have leave to sit during the sitting of the house tomorrow.

Motion carried.

Bills

STATUTES AMENDMENT (GENDER IDENTITY AND EQUITY) BILL

Introduction and First Reading

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (16:32): Obtained leave and introduced a bill for an act to amend various acts to remove discrimination against lesbian, gay, bisexual, transgender, intersex and queer South Australians. Read a first time.

Second Reading

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (16:32): I move:

That this bill be now read a second time.

South Australia has a proud history as a leader in social justice and antidiscrimination reform. It was the first jurisdiction in Australia to legislate to permit women to vote and the first place in the world to end discrimination against women standing for parliament. South Australia was also the first state in our nation's history to decriminalise homosexuality.

In the past 40 years, South Australian governments have made a number of changes to legislation and policy with respect to lesbian, gay, bisexual, transgender, intersex and queer people. These changes have contributed to the improvement in the ability of the LGBTIQ South Australians to lead safe and engaged lives in our state and the wider community.

South Australia's reputation as a great place to live is in part based on the fact that we are a tolerant, inclusive society. The government's commitment to an inclusive society is enshrined in the South Australian Strategy for the Inclusion of LGBTIQ People.

Unfortunately, there are still aspects of our laws which do not reflect inclusiveness and have the effect of discriminating against people in our community. It is because of this that, earlier last year, the government announced, through the Governor's speech to the opening of parliament, that the South Australian Law Reform Institute would be invited to review legislative and regulatory

discrimination against individuals and families on the grounds of sexual orientation, gender, gender identity and intersex status.

The institute released an audit report on 10 September 2015, and it identified more than 140 pieces of legislation that discriminated on the grounds of sexual orientation, gender, gender identity or intersex status. The report outlined a suite of recommendations for the government to address in relation to the current legislative and regulatory based discrimination. These included recommendations for immediate action and recommendations for further review and reporting by the institute.

The timing of the report's release was poignant. For it was in September last year that the local LGBTIQ community—and many other people—were celebrating the 40th anniversary of the passing of laws making our state the first jurisdiction in Australia to decriminalise homosexual acts between consenting adults.

That legislation was strongly supported by then premier Don Dunstan—a man who had championed gay rights for many years and had a proud record of fighting against discrimination wherever he saw it.

The government has considered the recommendations of the Law Reform Institute's report, and through this statutes amendment bill it seeks to implement the majority of the report's recommendations for immediate action.

The majority of the proposed amendments are aimed at removing binary notions of sex (male and female) and gender (man or woman) or provisions that fail to set out how the law applies to a person who is intersex or gender diverse. The amendments also seek to remove interpretive language in legislation that has the potential of discriminating against people based on their relationship status.

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

Leave granted.

The following amendments are proposed in this Bill:

Amending section 4 of the *Acts Interpretation Act 1915* to include the terms 'gender identity' and 'intersex status' in the dictionary section of the Act.

Amending section 26 of the *Acts Interpretation Act 1915* to replace the existing gender related rule with a new interpretative rule based on section 23(a) of the Commonwealth's *Acts Interpretation Act 1919* to provide that: 'words importing a gender include every other gender.'

Amending section 36A of the *Acts Interpretation Act 1915* to revise the existing gender balance on boards provision to make it clear that, regardless of the person's sex as legally recorded, a person who identifies as a woman should be included in the pool of possible appointments where an Act requires a minimum number of female/women positions on the board. Similarly, a person who identifies as a man should be included in the pool of potential appointments where it is legislated to include a minimum number of male/men positions, regardless of the person's sex as legally recorded.

Amending provisions to remove unnecessarily gendered terms identified in the *Criminal Law Consolidation Act 1935*, *Health Practitioner Regulation National Law (South Australia) Act 2010* and *Payroll Tax Act 2009*.

Replacing the term 'opposite sex' with the term 'different sex' in the *Criminal Law (Forensic Procedures Act) 2007*, *Equal Opportunity Act 1982*, *Family Relationships Act 1975* and *Sexual Reassignment Act 1988*.

Repealing outdated provisions in the *Guardianship of Infants Act 1940*, *Trustee Act 1936*, *Landlord and Tenant Act 1936* and *Settled Estates Act 1880*.

Amending the *Correctional Services Act 1982*, *Criminal Law (Forensic Procedures) Act 2007* and *Summary Offences Act 1953* to enable a person subject to a search or assessment to request that it be conducted by a person of the same sex or gender identity, unless the person being searched or assessed requests otherwise.

Amending the terminology in the *Equal Opportunity Act 1982* to replace the current protections against discrimination on the grounds of 'sexuality' and 'chosen gender' with similar protections based on the attributes of 'sexual orientation' and 'gender identity'.

Amending the *Domicile Act 1980* to include reference to domestic partners and remove an unnecessary reference to gender, as well as removing a discriminatory provision in the *Evidence Act 1929*.

Through these changes, we seek to ensure that our laws do not inadvertently discriminate against LGBTIQ South Australians.

Many of these changes may not seem important, and for most South Australians the impact will be negligible. But for people who may potentially experience discrimination as a result of these laws, the impact can be significant.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Acts Interpretation Act 1915*

4—Amendment of section 4—Interpretation

This clause inserts definitions for the terms *gender identity* and *intersex status* into the principal Act.

5—Amendment of section 26—Interpretation of words relating to gender or number

This clause amends section 26 of the principal Act to alter the meaning of references to gender.

6—Amendment of section 36A—Gender balance in nomination of persons for appointment to statutory bodies

This clause inserts definitions for the terms *man* and *woman* into section 36A of the principal Act.

Part 3—Amendment of *Correctional Services Act 1982*

7—Amendment of section 23—Initial and periodic assessment of prisoners

This clause amends section 23 of the principal Act to broaden the range of matters that the CE must have regard to when carrying out an assessment under the section to include the prisoner's gender identity, sexuality or sexual identity.

Subclause (2) amends the principal Act by allowing the prisoner to request that an assessment under the section be made by a person of the same sex or gender identity as the prisoner.

8—Amendment of section 37—Search of prisoners

This clause amends section 37(2)(a) of the principal act so that if, during a search of a prisoner under the section, the prisoner is naked, the sex or gender identity of those present (other than a medical practitioner) must be the same as that of the prisoner.

Part 4—Amendment of *Criminal Law Consolidation Act 1935*

9—Substitution of Part 3 Division 17

This clause substitutes Part 3 Division 17 of the principal Act.

The new division removes specific references to a woman or the pregnancy of a woman. Updates to the drafting language and style of the division are also made.

Division 17—Abortion

81—Attempts to procure abortion

82—Procuring drugs etc to cause abortion

82A—Medical termination of pregnancy

Part 5—Amendment of *Criminal Law (Forensic Procedures) Act 2007*

10—Amendment of section 3—Interpretation

This clause amends the definition of *intrusive forensic procedure* to make reference to a transgender or intersex person.

11—Amendment of section 21—Forensic procedures to be carried out humanely

This clause amends section 21 of the principal Act to make reference to a transgender or intersex person. Reference to a person of the opposite sex is substituted with a reference to a person of a different sex.

Part 6—Amendment of *Domicile Act 1980*

12—Amendment of long title

This clause amends the long title of the principal Act.

13—Amendment of section 7—Capacity to have independent domicile

This clause amends section 7 of the principal Act to substitute masculine references with references to 'the person'.

14—Amendment of section 8—Domicile of certain children

This clause amends section 8(3)(a) of the principal Act to remove the reference to 'in wedlock' from the provision that concerns the domicile of adopted children.

Part 7—Amendment of *Equal Opportunity Act 1984*

15—Amendment of section 5—Interpretation

This clause amends section 5 of the principal Act to delete the definition of *chosen gender*. Other amendments to section 5 delete references to gender such as 'he or she' or 'woman'.

References in the principal Act to sexuality are changed to sexual orientation.

16—Amendment of section 6—Interpretative provisions

Amendments made to the principal Act by the clauses that follow substitute references to 'chosen gender' with 'gender identity' and 'sexuality' with 'sexual orientation'.

17—Substitution of heading to Part 3

18—Amendment of section 29—Criteria for discrimination on ground of sex, sexual orientation or gender identity

19—Amendment of section 30—Discrimination against applicants and employees

20—Amendment of section 31—Discrimination against agents and independent contractors

21—Amendment of section 32—Discrimination against contract workers

22—Amendment of section 33—Discrimination within partnerships

23—Amendment of section 34—Exemptions

24—Amendment of section 35—Discrimination by associations

25—Amendment of section 36—Discrimination by qualifying bodies

26—Amendment of section 37—Discrimination by educational authorities

27—Amendment of section 38—Discrimination by person disposing of interest in land

28—Amendment of section 39—Discrimination in provision of goods and services

29—Amendment of section 40—Discrimination in relation to accommodation

30—Amendment of section 45—Charities

31—Amendment of section 47—Measures intended to achieve equality

32—Amendment of section 85Z—Exemptions

These amendments are consequential.

Part 8—Amendment of *Evidence Act 1929*

33—Repeal of section 34H

This clause repeals section 34H of the principal Act.

Part 9—Amendment of *Family Relationships Act 1975*

34—Amendment of section 10A—Interpretation

This clause amends the definition of *qualifying relationship* to substitute the reference to 'opposite sex' with a reference to 'different sex'.

Part 10—Amendment of *Guardianship of Infants Act 1940*

35—Repeal of section 20—Power of woman to sue as next friend

Section 20 makes provision for a woman to be able to sue as next friend in relation to a child. The section is obsolete and is to be repealed.

Part 11—Amendment of *Health Practitioner Regulation National Law (South Australia) Act 2010*

36—Amendment of Schedule 2—Health Practitioner Regulation National Law

This clause amends Schedule 2 clause 123A to remove references to 'a woman' and substitute those references to 'someone' or 'someone who is pregnant' (as the case may be).

Part 12—Amendment of *Landlord and Tenant Act 1936*

37—Repeal of section 44

This clause repeals section 44 of the principal Act.

Part 13—Amendment of *Payroll Tax Act 2009*

38—Amendment of section 53—Maternity and adoption leave

This clause amends section 53 of the principal Act to remove references that specify the gender of the person taking maternity leave.

Part 14—Amendment of *Settled Estates Act 1880*

39—Repeal of sections 48, 49 and 50

This clause repeals sections 48, 49 and 50 of the principal Act.

Part 15—Amendment of *Sexual Reassignment Act 1988*

40—Amendment of section 3—Interpretation

This clause amends the definition of *reassignment procedure* in section 3 of the principal Act to substitute the reference to the opposite sex with a reference to a different sex.

Part 16—Amendment of *Summary Offences Act 1953*

41—Amendment of section 81—Power to search, examine and take particulars of persons

This clause amends section 81(3)(d) of the principal Act to provide that if a person is to be subject to an intimate search, the search be carried out, where reasonably practicable, by a person of the same sex or gender identity as the person being searched.

Part 17—Amendment of *Trustee Act 1936*

42—Repeal of section 22

This clause repeals section 22 of the principal Act.

Debate adjourned on motion of Mr Pederick.

Parliamentary Procedure

STANDING ORDERS SUSPENSION

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (16:36): I move:

That standing and sessional orders be and remain so far suspended as to enable Private Members Business: Bills—Order of the Day No.3 Family Relationships (Parentage Presumptions) Amendment Bill set down on the Notice Paper for Thursday 11 February take precedence forthwith over Government Business.

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

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

Motion carried.

Bills

FAMILY RELATIONSHIPS (PARENTAGE PRESUMPTIONS) AMENDMENT BILL

Second Reading

(Continued from 29 October 2015.)

The Hon. T.R. KENYON (Newland) (16:38): It is an interesting experience to come back to a speech that you made in October, ma'am, but we will see how we go.

The DEPUTY SPEAKER: It's all coming back to you.

The Hon. T.R. KENYON: That's right, it is all coming back to me now. The point I was trying to make is that my particular concern about this bill is to ensure that there is an accurate record of someone's personal history so that, at a later point in life, they can come back and fully understand that history.

How deeply they choose to go into that is, of course, a matter for them at a later time, and probably for all those others involved in that chain. I was highlighting to the house a constituent of mine who came to see me who was the result of a fertilised egg that was donated to a couple who were otherwise infertile and they were able to carry her to term, obviously—she was born. She was 16, and the mother who gave birth to her had since died, but the records of the donor parents for the fertilised egg (or the embryo I suppose it is at that point) had been lost or were not complete. So, there was some history; she knew she had, for instance, twins who were siblings of hers biologically, but she was finding it very difficult to get hold of the records relating to the identity of the parents. At this particular point, she was keen to get in contact with them, and she would have liked to have met her siblings, but was finding it very difficult to do so.

Since October when I was talking about that, it turns out she has made some progress on that and they are in the process of contacting each other and making those very tentative first connections. But the difficulty that she had in that situation highlighted to me the dilemma faced by children when they become adults and wish to know their full history. Up until this point, any one of us really in this chamber can go through a fairly comprehensive set of records for the most part, right back through generations, in some cases many hundreds of years, and trace their lineage. There will be a gap in that history for some people—for a very small group of people, admittedly—because of the advances of technology, particularly in the eighties, in vitro fertilisation and such—

The Hon. S.E. Close interjecting:

The Hon. T.R. KENYON: Yes, and let's not forget the error rate, as the Minister for Education has pointed out, in the record due to infidelity and other instances of let us just say 'errant behaviour' that may corrupt the official record. Of course, no official record is ever perfect, but where we can—and remember for the most part we are making very deliberate decisions, with in vitro fertilisation and all these sorts of things, about the conception of a child. It is not, as is sometimes the case in other relationships, a random event or an accidental event. You are paying a lot of money and taking a lot of time and it is actually, from my observation of friends who have gone through it, a very unpleasant experience. So, these are deliberate decisions, and we are able in that case then to have much better records, not necessarily complete records of course, but much better records, and that will be of some use to the children and then adults who seek to go back and find their complete histories.

With that in mind, I have an amendment which I initially filed in October—I have since withdrawn it and refiled it in an amended way which we will get to, obviously, in the committee stage—which seeks to record the biological parentage of the children involved. In the first instance—obviously we will go into greater detail in the committee stage—it will seek to record the biological information on the birth certificate until we have set up—under the Assisted Reproductive Technologies Act, there is a provision for the minister to set up a register. Eventually and hopefully a minister will get that done, and I am hopeful that that will happen as part of the review of the act that is currently underway. On the day it comes into operation, this amendment I will be putting forward will cease to operate, so those provisions for the ability to record the biological history of a child for their later use—hopefully not medical use, but possibly—will come into operation then.

Mr PEDERICK (Hammond) (16:44): I rise to make a few comments in relation to the Family Relationships (Parentage Presumptions) Amendment Bill 2015. I must say at the start of my contribution, a lot of bills and legislation go through this place and barely get a whimper out of your electorate, but certainly in relation to this bill, I got far more than a whimper.

An honourable member interjecting:

Mr PEDERICK: Yes, I got far more than a whimper, and certainly not just from my electorate, but people who contacted me from right around the state to share their thoughts and deep beliefs. It is no secret that I come from a conservative background and I represent a conservative electorate, and that is exactly the way I will be voting with regard to this bill.

I must say that is how 100 per cent of the people who lobbied me in respect to this legislation wished me to vote, so I am more than happy to abide by their wishes—and I reply to every individual, whether they are in my electorate or not—with regard to this legislation.

This legislation gives a couple—two women—the right to have their names on the birth certificate. Some people have a child, and some people may say, 'Well, that makes things more equal.' But, I think it also brings about some problems with regard to a child having the ability to track their genealogy later in life. I think that is one of the main reasons that birth certificates are something we really need to be very careful about. I have just had a brief look at the amendments that the member for Newland has tabled, and I am still not convinced that that is the way to go.

Certainly, it did arouse debate in the seat of Hammond, and it was all one way. It did surprise me a bit that not one person, either in the seat or in the state contacted me in support of this legislation. I certainly think that the right thing to do is to support those who lobbied me, and, accordingly, I indicate that I will be voting against the legislation.

The Hon. P. CAICA (Colton) (16:46): I will not keep the house for very long at all. I am very pleased to be speaking today, particularly following the introduction of a bill by the Premier which is going to address aspects of inequality within our community.

Madam Deputy Speaker, you, like me and some of the other people here, often go to citizenship ceremonies, and it is one of the best things we do. I—as I am sure you do as well—stand up there and not only congratulate those people on becoming Australian citizens, but say to them that in Australia we live under the rule of law, and everyone is equal under that law.

Upon reflection, in most occasions that is the case, but we have certain aspects of our legislation and our statutes that discriminate against people and not treat people equally under the laws that currently exist. Some might argue that in this bill that we are discussing today—the Family Relationships (Parentage Presumption) Amendment Bill—we are applying what was essentially a mistake when it was first introduced in 2011. That may well be the case, but by introducing this bill it gives us the opportunity today to address the shortcomings that exist.

For the people on our side of the house, this is a conscience vote. Certainly, my conscience tells me that any aspect of the statutes in Australia and South Australia that we are responsible for which have provisions that discriminate against people need to be addressed. That is why I am also very pleased, not only with the Premier's introduction of a bill today, but with the agenda that is being set for the rest of this parliamentary year to address other aspects of South Australian laws that clearly do not have, as their basis, an equality before that law.

In essence, this bill is about making it available for people to put their names on a birth certificate, irrespective of whether they have lived together for three out of the four years prior to conception. That seems to me to be a very good thing to do. I am very hopeful that this bill will get up today; it has been a long time coming. It is not very often that we debate bills over a couple of years like we have done for this particular matter. I urge everyone in the house to vote with their conscience, and, in doing so, make sure that they are a part of addressing some of the existing shortcomings within our legislation that does not treat people as equals.

Mr PISONI (Unley) (16:49): I would like to first of all thank all those who contributed to the debate. I have to say that I am a little bit surprised that we are still here debating it. I do not mean to be derogatory to my colleagues in the upper house, but when the upper house can do things more efficiently than the lower house, I think it says something about a situation.

Of course, the house is very aware of my views on this matter. I just want to remind members that we are voting on one thing here, and one thing only, and that is, to remove a discriminatory measure in the existing act that only affects same-sex couples. There is a mechanism to deal with this for heterosexual couples, but there is no same mechanism to deal with this for same-sex couples. We know in practice that there is more onus on same-sex couples to actually comply with the three-year rule than there is with heterosexual couples to do that.

It does affect a very small percentage of South Australians, but we are the only state that still has this provision. Despite what people have been speaking about—about the rights of the children to know who their biological parents are, or what the accepted description of a family is, or what the

modern family looks like—none of it is relevant in this bill, because this parliament has already decided that it is fair and reasonable that same-sex couples have the same rights as heterosexual couples in regard to the non-biological parent appearing on the birth certificate. The only difference is that there is a qualification of three years that affects only same-sex couples, and this bill is here to address that.

I urge members to bear that in mind when you are voting on this bill. You are not changing anything other than removing what I would describe as an oversight when the bill was first passed, close on four years ago now. We are removing that unintended consequence of perhaps not examining the bill in a bit more detail at the time and trying to understand if there were any additional consequences to the changes that were made. I urge members to view this as simply picking up or completing business that was started four years ago. It is nothing new, other than the removal of a three-year clause that only affects one section of the community and treats them differently.

The house divided on the second reading:

Ayes	29
Noes	12
Majority.....	17

AYES

Bedford, F.E.	Bell, T.S.	Bignell, L.W.K.
Brock, G.G.	Caica, P.	Chapman, V.A.
Close, S.E.	Cook, N.	Digance, A.F.C.
Duluk, S.	Gardner, J.A.W.	Gee, J.P.
Goldsworthy, R.M.	Griffiths, S.P.	Hildyard, K.
Hughes, E.J.	Key, S.W.	Marshall, S.S.
McFetridge, D.	Mullighan, S.C.	Odenwalder, L.K.
Picton, C.J.	Pisoni, D.G. (teller)	Rankine, J.M.
Sanderson, R.	van Holst Pellekaan, D.C.	Whetstone, T.J.
Wingard, C.	Wortley, D.	

NOES

Kenyon, T.R.	Knoll, S.K. (teller)	Koutsantonis, A.
Pederick, A.S.	Pengilly, M.R.	Piccolo, A.
Rau, J.R.	Snelling, J.J.	Speirs, D.
Tarzia, V.A.	Vlahos, L.A.	Williams, M.R.

PAIRS

Weatherill, J.W.	Hamilton-Smith, M.L.J.
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Second reading thus carried.

Committee Stage

In committee.

Clause 1 passed.

Clause 2.

The Hon. J.R. RAU: To explain, there is an issue about the practical implementation of this. Leaving aside any other issues, there are practical issues. When the parliament was dealing with this bill last year, my amendment intended to give more time to the registrar to make preparations, should that be necessary. However, given that we are now in February and in three months' time we will be in June, this does not really have a lot of work left to do, so I am completely agnostic as to

whether it goes through. It is possibly better, actually, if I do not proceed with it at all, so I withdraw it.

Members interjecting:

The CHAIR: Order! We are looking at Amendment No. 1 to clause 2 standing in the Attorney's name, which is being withdrawn. Is that correct?

The Hon. J.R. RAU: Correct.

Clause passed.

Clause 3 passed.

New clause 3A.

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

Amendment No 2 [AG-1]—

Page 2, after line 12—Before clause 4 insert:

3A—Amendment of section 10B—Application of Part

Section 10B—after subsection (1) insert:

- (2) Despite any other provision of this Part, the amendments to this Part effected by the *Family Relationships (Parentage Presumptions) Amendment Act 2015* only apply in relation to a fertilisation procedure carried out after the commencement of that Act.

Again, as much as anything else, this new clause is trying to take some consideration of the practical consequences of the passage of legislation like this for those who are charged with the responsibility of administering it. This provision is intended to make it clear that in the future, if this amendment were passed and the bill were passed, it would be a prospective impact of the bill and not a retrospective impact of the bill.

The CHAIR: Everyone has got that?

The Hon. J.R. RAU: Unfortunately, the registrar is not a person who is either a political person or a person who is able to come in here—

Ms Chapman: You changed the registration on the instruction of the Premier two weeks ago.

The Hon. J.R. RAU: Can I finish what I was saying? From my point of view, the registrar is a person who is a public servant. They do not have a role in the political world and they obviously cannot come in here and defend their staff, their office and their requirements. However, I have some ministerial responsibility for the Registrar of Births, Deaths and Marriages. There is presently on a number of fronts a number of suggestions that the registrar should add this or that to the official record, and these requests are coming from multiple quarters. It has been my position and remains my position, and it is the reason for my particular opposition to this proposition generally at this point in time, that these things are all being looked at by the Law Reform Institute presently and we should wait until they have finished and done a comprehensive review before we start doing piecemeal moves.

That said, that is my primary objection to this proposition, but if we are determined to go ahead with this matter right now at a point in time when I believe it is premature because we have Professor Williams and his team working on these issues across the board right now—and, quite frankly, I think we would all do very well to wait until they have finished and have a good look at their report and then in a calmer, more responsible and enlightened environment decide what we are going to do. However, if the majority here does not accept the wisdom of that, and you may not, then I do not want there to be unnecessary additional burdens cast on the registrar, therefore I move this amendment.

Mr PISONI: I urge members not to support the amendment. My understanding is that John Williams has said that it is not necessary to wait, that these amendments are simply bringing South Australia in line with the rest of the country. When the presumption of parentage bill was first

proclaimed there was no requirement for that only occurring for new births. In my understanding it was retrospective, so it is just a ludicrous situation to suggest that those same-sex parents who have children within a three-year period are treated differently to those same-sex parents who have children after a three-year period. I strongly urge those in support of this bill to reject this amendment.

Mr GARDNER: I have a question of the mover of the amendment going to the merit of the case set forward by the Attorney moving the amendment in that it would set too much of a burden on the registrar to go through the birth certificates of those children already born, in effect. When the Attorney had carriage of a similar matter in relation to Chinese adoptees three years ago in working with the registrar to have their birth certificates amended in as much as there were several hundred of them, did he consider that matter to be salient then? If not, why not? If so, why shouldn't it be fine here?

The Hon. J.R. RAU: I do not actually recall what we did or did not do in the context of the example that the member for Morialta has just asked. I frankly do not recall. That does not mean we did not do anything or we did not look into it; I just simply do not know. It was some time ago. As I said, to me, whether or not Professor Williams, as the member for Unley said, is prepared to wave his professorial arm and allow this thing to pass through is not the point.

Mr Pisoni: You raised it.

The Hon. J.R. RAU: No, I am telling you whether it has his imprimatur to go through is not the point I was trying to raise. The point was that he is doing a body of work which includes this and a great deal many other things which may go back into this space as well, and I think it is unsound for us to be doing this in a piecemeal fashion without seeing what the whole thing looks like. For that reason, I do not support this at this time, although when he is finished with his work and I have had a chance to consider what he has to say, I might take a completely different view. As I have said before, I am strongly of the view that we should have a voluntary register here, which is not the responsibility of the Registrar of Births, Deaths and Marriages to maintain, and it enables individuals to voluntarily—

Ms Chapman: Bring in a bill.

The Hon. J.R. RAU: I would like to but, again, the reason I have not done that yet is because I am waiting for Professor Williams; but I am strongly of that view, and I just put that on the record. I am trying to minimise the disruption of this, in my opinion, premature attempt to legislate in this space. That is it.

Ms CHAPMAN: I have a question for the Attorney. In light of his concern that we should be advancing this bill in the absence of having the complete report from the South Australian Law Reform Institute in relation to these matters, did he counsel the Premier against moving his bill—which relates to the first report from the South Australian Law Reform Institute, entitled 'Statutes Amendment (Gender Identity and Equity) Bill 2016'—today? The Premier told the parliament today (in fact, only an hour ago) that he was going to progress part of the recommendations of the Law Reform Institute in respect of this matter—and, if I can say so, I suggest the uncontroversial aspects, or as much as they can be in this area—of which there is a proposed bill to remove discrimination in respect of different genders in legislation.

If so, is he indicating to the parliament that he accepts the progressing of that legislation, notwithstanding any advice to him to the contrary—it might be something to do with keeping a job, I do not know entirely how it works in the Labor Party. However, I make the point that his own Premier has today moved a bill to progress in the absence of the final report from the commission in respect of some of the matters on which they have inquired, and the more —

The Hon. J.R. RAU: I know you have asked a question; I get the question. The answer to it is very simple, and it is that in the instance referred to by the member for Bragg there is a report, albeit an interim report. I have read that report, I have sought advice from the crown about that report, and there have been discussions within government about whether every single element within the report is to be picked up without any form of modification or not. We have done our due diligence, we have thought about it, and I am entirely comfortable with that going forward, entirely comfortable.

Ms CHAPMAN: I have another question. Given that this bill was tabled in the parliament on 10 October 2015, if you did not make inquiry to inform yourself as to whether this was some due process that could be advanced, including whether the Law Reform Institute had any view on the matter, why not?

The Hon. J.R. RAU: My view is that they are doing a piece of work, they going to provide a report. I want to see the report before I am comfortable in addressing this issue in a piecemeal fashion. I have already flagged to the parliament today, and before we had the conversation about this, that I think there is an obvious need for a voluntary register here where people can actually go through certain formalities and do things for themselves. I am expecting that Professor Williams' report will address that matter in some way or another—I would be surprised if it did not—but I would be interested in what he has to say about that as well.

My preference would be that we do not deal with this at all until we have that information from the Law Reform Institute. I think it should be allowed to finish its report in its own good time and do it as thoroughly as it needs to.

Ms CHAPMAN: One more question. Given recent events during January, I think, when the Premier approached the Registrar of Births, Deaths and Marriages to attempt to deal with what was identified as a very tragic situation—namely, the recording on the certificate of a person who died in South Australia that they had never been married (I think the words inserted were 'never married') when there had been a lawful, same-sex marriage solemnised in another jurisdiction overseas, which obviously added to the hurt of the surviving partner—did he obtain legal advice as to whether it was available to the Premier to instruct or request the Registrar to change the certificate?

The Hon. J.R. RAU: We are getting hideously distant from the matter before us. Anybody with any compassion at all would sympathise deeply with the circumstances that gentleman was placed in. What the Premier did in relation to that is a matter that you should ask him about; but let's try to get back to the bill in front of us.

The Hon. S.W. KEY: I am trying to understand the logic of the amendment from the Attorney. On one hand he is saying that we should wait until we have further information from Professor Williams. I can understand that argument, but what he is suggesting in this application is that we have a date, to be determined, for when this information can be made available. I think he is actually arguing against—excuse me saying this, Attorney—the logic of what he has put forward.

Coincidentally, today I was very pleased to attend a briefing session on work that we are doing with regard to the regulation of assisted reproductive treatment in South Australia. One of the points that was made is that we still, as from direction in 2010, do not have a donor register established, and this is going to cause a lot of problems, particularly if we have a review that perhaps modernises itself with regard to assisted reproductive treatment that maybe looks at the Victorian model in this area and some of the changes that have been made in Western Australia.

As everybody in the chamber is aware, not everybody lives in a nuclear family anymore, with a picket fence at the front. We have a whole lot of different blended families. We have people who come from different cultural backgrounds who do not have access to information. We have new arrival and refugee people who do not have any paperwork or information. We have Aboriginal communities—urban as well as remote Aboriginal communities—where people still do not have a birth certificate. I think we need to bear in mind that we have a community that is very varied and we need to address all of these issues. I think putting a stopper on when people can be recognised as having parentage responsibilities at this time is premature as well.

Mr GARDNER: The Attorney's amendment, as I understand it, means that is prospective and not retrospective, that it only would apply to births from the passage of this legislation. When this bill passed in 2011 it was, by the definition that the Attorney is suggesting, retrospective: it applies to everyone equally, including people in the past. If this amendment passes, then as far as I can tell this will become the only instance where, under the births, deaths and marriages registration arrangements, someone is entitled to have both parents listed, whether they be adoptive parents or people of this arrangement.

It will be the only circumstance where whether or not they are entitled to have both their parents listed depends on the date on which they were born. It will be the only time when two categories will be on children's birth certificates. Can the Attorney clarify if that is correct, whether there are there any other categories of people with birth certificates whereby their parents being listed or not depends on whether or not they were born before or after passage of legislation?

The Hon. J.R. RAU: Off the top of my head I cannot, but obviously there have been amendments to the births, deaths and marriages legislation over time. Those people who were born before that moment in time clearly were not affected by the amendment and those people who were born after were.

Mr Gardner interjecting:

The Hon. J.R. RAU: Yes; so, clearly, there is a series of points in time. I say again: I am not saying to the parliament (not that my personal opinion matters in any particular way) that I personally think there is no way we should take steps in this space; that is not what I am saying. I am saying that now is a premature time to be doing it in the context of all the investigations that are going on, and I do not want to half do it. I indicate I oppose the bill, but if we have to do it, I want it to be as least disruptive as possible. That is all.

New clause negated.

Clause 4.

The Hon. J.R. RAU: I believe my amendments to this clause are consequential and, therefore, they are now no longer relevant.

Mr KNOLL: I have three questions on clause 4. Throughout this debate, it has been suggested that the three-year relationship requirement is something that only applies to homosexual couples. When I look at where this clause is going to be inserted, and that is section 10 of the Family Relationships Act, section 10A, Interpretation, talks about a qualifying period and states:

qualifying relationship means a marriage-like relationship between 2 people who are domestic partners (whether of the same or opposite sex).

To me, that suggests that this clause, as it is written in the current Family Relationships Act, is designed to be one that applies to both heterosexual and homosexual couples. Is the issue that I am getting something wrong with the legislation, or is it simply an issue to do with how the registrar of births, deaths and marriages implements the legislation? If it is the case where only homosexual couples are required to provide evidence of a three-year qualifying period, does that not suggest that the legislation is not flawed, it is actually the enforcement of that legislation by the registrar that is the issue?

Mr PISONI: I think the offending section of that clause is the fact that the effect is that, under current Australian law, a heterosexual couple can circumvent the three-year qualifying period by getting married and, of course, a homosexual couple cannot do that. It is on that basis that it is discriminatory, and that is why we are removing that in this amendment bill.

Mr KNOLL: Certainly, the member for Unley is right in the answer he just gave in terms of heterosexual couples either having a biological child or getting married as two ways to get around the three-year qualifying period, but where there is a non-biological father, for instance, in the case of a heterosexual couple, they would also have to deal with this requirement. I suppose that is the basis for which I suggest there is not necessarily legislative discrimination.

My second question is based on the following scenario. We have a couple who meet, and let's say they have been together for six months and then decide to have a child. Let's say they are two lesbian women, and one decides to become pregnant via whatever means. That child is conceived and then post that child being conceived but before that child is born, the couple break up and no longer have a relationship. My question is: in that instance where there has been a separation of the couple post conception but prior to the birth, are there still rights and obligations upon the non-biological parent after the child is born? What happens in that instance?

Mr PISONI: My understanding is this amendment to deal with that part of the act does not change the law as it stands now in regard to any relationship. The scenario you have described could

be a longstanding relationship, it could be the relationship of a heterosexual couple or it could be the relationship of a same-sex couple. The problem with this legislation as it stands, without the amendment bill, is that it discriminates against one section of the community compared with all other members of the community, and this is what the bill that we are debating today seeks to remedy.

You could easily have a situation where a couple have been together for some arbitrary qualifying period, and it seems very strange that we have the law making moral judgements on how long people can actually be a couple before they make plans or before they actually participate in a certain activity in their family to be recognised by law. As a Liberal, I just find that offensive.

The point I am making here is that they too could have a situation where they have been together for more than three years and, by the time the baby is born, there could be a different partner. Whatever happens in that situation will continue to happen, if this amendment bill is passed.

Mr KNOLL: I have a third question. If you are married and you have a child, it is presumed that the married couple are the mother and father. If they conceive a child while married and get divorced, it is assumed that the father is the father and the husband and wife are then on the birth certificate.

In an instance where two people conceive naturally, most of the time the father comes forward and they are in a relationship together, or even not. The two biological parents, regardless of whether or not they are then together post-conception, go on the birth certificate. In this instance, we have a non-biological parent who is in a relationship, but there is no biological connection, so my question is: will the non-biological parent still be on the birth certificate if, post conception, they decide that the couple are no longer going to stay in a relationship?

Mr PISONI: I think this is virtually the same question I was asked previously, and the answer is: the effect of the amendment will be the same as it is for those couples who have been together for three years or longer while having a child through assisted reproduction, with only one of those parents being a biological parent. This does not change anything, other than remove any qualifying period for there to be recognition that a non-biological parent is entitled to be on the birth certificate.

The Hon. S.W. KEY: In relation to that particular section, I would just say to the member for Unley that I think there is precedent for the question he has just been asked by the member for Schubert. When a child is born with two biological parents and one of those parents ends up not being the presumptive parent—they end up going away or dying or whatever—there is an opportunity for a parent or parents to adopt a child. So, the details that end up on the birth certificate are the details of the adoption, where the adoption of that child ends up being on the new document, as opposed to those of the birth parents.

I think part of the argument that most of us are on about—and I think the member for Newland actually agrees with this, as well as the Attorney—is that, where possible, we need to have a system where people can not only access their biological information and parents and have that right but also have parents, whom we are calling in this case 'presumptive parents', who are the ones who actually take responsibility.

As with heterosexual couples, as well as same sex couples, some people stay together, some people do not—there are all sorts of arrangements. As I said, because we live in a multicultural community there are a whole lot of people who take responsibility as parents and carers in our community, and certainly in the Aboriginal community. We need to get over the fact that we are just discriminating at this stage against the qualifying period for a lesbian couple. I just do not understand why we need to do that.

This bill, I understand it, is to address that issue, and as things roll out with Professor Williams' reports there will be other areas where we will need to discuss our views on discrimination. Basically at the moment this is discrimination, so let's do something about it.

Clause passed.

New schedule A1.

The Hon. T.R. KENYON: I move:

Page 3, before line 13—Insert:

Schedule A1—Related amendment to *Births, Deaths and Marriages Registration Act 1996*

1—Amendment of section 14—How to have the birth of a child registered

Section 14—after its present contents (now to be designated as subsection (1)) insert:

- (2) The birth registration statement must include particulars of the identity (if known) of the biological parents of the child.
- (3) The fact that a person is described as a biological parent of a child in a birth registration statement in accordance with subsection (2), or in an entry about the birth in the Register—
 - (a) does not constitute an acknowledgement of parentage for the purposes of the *Family Relationships Act 1975* or any other law; and
 - (b) does not otherwise operate to make that person the mother or father of the child for the purposes of any other law.
- (4) In this section—

biological parents, in relation to the birth of a child, means—

 - (a) the person who provided semen resulting in the birth; and
 - (b) the person who provided the ovum resulting in the birth.
- (5) Subsections (2), (3) and (4) expire on the day on which the donor conception register is established under section 15 of the *Assisted Reproductive Treatment Act 1988*.

Originally I filed amendments in October last year that required that the biological parents be recorded as well, so there was that biological record for children to follow back through if they chose to do so at some point in the future. The technicality here is that I have withdrawn that amendment and replaced it with a new amendment that does exactly the same thing but ceases to operate when the register in the Assisted Reproductive Treatment Act is in place and operating. So on the day that register is operating, then this amendment ceases to operate. For clarification, I have added an extra bit into my amendment to satisfy that. There are two sorts of amendments: I am withdrawing the first lot and putting in the second, which is exactly the same but includes a new subclause that ceases the operation of that amendment when the register comes into existence.

Mr PISONI: I have a question of the member for Newland: does it apply regardless of the type of relationship; for example, does it apply equally to same sex couples as to heterosexual couples?

The Hon. T.R. KENYON: Yes. It does not make any changes to the operation of the bill, other than to make sure that biological parents are recorded. For most couples, being heterosexual couples who are either married or in a relationship, to whom the great majority of children are born into this world, in that arrangement it will not make any difference anyway as that is how it is. It is an added requirement only to this group by way of circumstance more than anything else. It applies to everybody, but for most people they will be one and the same. My amendment does not discriminate against relationships or anything else or single out, but by circumstance it will apply to one group, but again, as I said, it will cease to operate once the register comes into existence, hopefully some time this year.

Mr GARDNER: Can I ask the mover of the amendment if it is his understanding that, if the amendment is included—and I am reading:

(1) The birth registration statement must include particulars of the identity (if known) of the biological parents of the child.

—what about the situation where the parent is known but would not normally be included on the birth certificate; for example, if it was the perpetrator of a rape?

The Hon. T.R. KENYON: In this case they would still be recorded. My view on that is that it is a very trying and difficult circumstance, but the purpose of my amendment is to provide some record for the child at a later point. Despite the circumstances of the conception, it may still be genetically relevant at some point in the future, and the child has a right to know.

The Hon. S.W. KEY: I understand and mentioned earlier the need, and I agree with the view that a child should have as much information as possible, particularly about their biological background, but I am just wondering whether the member for Newland would apply this to all circumstances of parenthood and birth certificates and why he would not introduce a private member's bill to make sure that this information was available for everybody.

The Hon. T.R. KENYON: I never gave it any great serious thought until this particular constituent I mentioned in my second reading speech came into my office and I went through the whole process with her of trying to locate her parents. I went through the difficulty with her of tracing those people, and that is what has changed my views in some ways and also given me pause for thought, and this was the first opportunity really. This bill was introduced at roughly the same time and gave me the first opportunity to come into it. I am happy to come back into the house with a private member's bill at a later point that brings that through. I think, however, that the register that is contained but not yet in operation in the Assisted Reproductive Technologies Act will take care of most of those.

In terms of adopted children, because there is a formal adoption process, that record is held formally as well, so that information, where it is known, is also held. So, there is a record for children (I say children who may be adults) to go back and find out their circumstances at a later point for adoptees. The application of technology since the eighties, in assisted reproduction particularly, has not really been addressed adequately by the parliament, and this is the first opportunity for that. I am happy to introduce a bill at some later point. I am not opposed to that at all.

The Hon. S.W. KEY: I guess my point is that, as much as I understand the logic behind all this, it would seem to me that it would be more appropriate, instead of choosing this particular legislation to bring in that provision, and it would be better if that were happening on a general level, rather than with this specific bill that we have before us.

Secondly, I do think it is of concern that, since the regulation of reproductive treatment in South Australia goes back to September 2010—and I do not want to be too critical of the government because I know there are resource issues and all the rest of it—if we are serious about this issue, we better get on and get this register organised and make sure that we have a review (and I am talking about having the assisted reproductive treatment review) that comes up with some sensible ways of dealing with this issue, rather than picking on one small bill to try to redress an inequality.

The Hon. T.R. KENYON: In answer to that, I understand the point the member for Ashford is making, and there is a fair bit of validity to it, but this bill is before us now and I think there is something in it that can be improved, and that is the point of the amendment.

Ms COOK: I have just something very small to add to the debate within the frame of what the member for Ashford has said. What you are saying, member for Newland, is that this would only work if you know that you are adopted. I want to make the point that I actually did not know that I was adopted until I was nearly 30 years old. My parents have both passed away now, and if not for the chance of walking past a telephone and answering it would I have even known I was adopted. So, it does not actually make any sense really, to be quite honest, in the context of this debate.

Mr PISONI: Member for Newland, I am just wondering if you are able to clarify whether your amendment gives the biological parent any rights over that child or the right to know who that child is, even if it might not be in their interests—for example, if they are the child of a rapist.

The Hon. T.R. KENYON: There are certainly no rights to paternity. I think that is spelt out in the amendment. Subsection (3) states:

- (a) does not constitute an acknowledgement of parentage for the purpose of the Family Relationships Act 1975 or any other law; and
- (b) does not otherwise operate to make that person the mother or father of the child for the purposes of any other law.

So it does not give them any parentage rights and it does not seem to give them any right to know either. I outlined to parliamentary counsel exactly what I wanted and I have relied heavily on their expertise on that—but I do not think it gives them any right to know whatsoever. The reason for recording this is the ability of the child at some point later to understand their full history—that's it.

Mr GARDNER: Can I make a comment on the amendments?

The CHAIR: Sort of; we are being pretty lenient.

Mr GARDNER: My view is that I think this amendment strays somewhat further than the member for Newland intends in that it does, in fact, apply to the act more broadly, not just to those children who are going to be impacted by the bill that we are dealing with today; not just by those children who will be impacted by the three-year rule—this applies to the whole act.

In having the child registered in this way, as far as I can tell, the circumstance that I suggested before, or the member for Unley suggested before, would be changed for all children who are born under that circumstance as far as I can tell from this amendment. I think that what the member for Newland is hoping to achieve I have absolutely no objection to. I am just not sure that this amendment is the best way to do it. I think that, as the member for Ashford suggested, it would be better dealt with by a new private member's bill.

For the record, the birth certificate does not constitute a perfect genealogical biological record in this state; it has not for a long time. Parents are listed where the father is perhaps not the biological father in a whole manner of cases. There are parents listed of adoptees who are, of course, not biological parents. This is not an item of perfect record at the moment.

The ill that is being sought to be addressed by the bill will be fixed without this amendment. This amendment might potentially construe new ills that are unintended. Certainly I impute nothing onto the member for Newland's motives in any sense; I am certain they are completely genuine, but I do not think that I am comfortable supporting this amendment if it goes to the impact that has been suggested. I would not want a child born in those circumstances to have that on their register in that way.

The Hon. T.R. KENYON: I understand the point that the member for Morialta is making. I would say that if it is in fact—and he may have a point—that it is spread right across the act I still do not think it is necessarily a bad thing for children to know their full biological history, however that came about. I know that it would be uncomfortable for some people in some instances but, at some point, it is good for the child to know that and, again, it may have at some point a medical or genetic use. Even if the point that the member for Morialta is making is correct I do not see it necessarily as an ill. Having said that, I do not have much more to add.

The committee divided on the new schedule:

Ayes 31
Noes 10
Majority..... 21

AYES

Atkinson, M.J.
Brock, G.G.
Cook, N.
Gee, J.P.
Hildyard, K.
Knoll, S.K.
Odenwalder, L.K.
Picton, C.J.
Snelling, J.J.
Weatherill, J.W.
Wortley, D.

Bell, T.S.
Caica, P.
Digance, A.F.C.
Goldsworthy, R.M.
Hughes, E.J.
Koutsantonis, A.
Pengilly, M.R.
Rankine, J.M.
Speirs, D.
Williams, M.R.

Bignell, L.W.K.
Close, S.E.
Duluk, S.
Hamilton-Smith, M.L.J.
Kenyon, T.R. (teller)
Mullighan, S.C.
Piccolo, A.
Rau, J.R.
Vlahos, L.A.
Wingard, C.

NOES

Chapman, V.A.
Key, S.W.
Pisoni, D.G. (teller)

Gardner, J.A.W.
McFetridge, D.
Sanderson, R.

Griffiths, S.P.
Pederick, A.S.
Treloar, P.A.

NOES

Whetstone, T.J.

Amendment thus carried; new schedule inserted.

Schedule 1 and title as amended passed.

Bill reported with amendments.

Third Reading

Mr PISONI (Unley) (17:50): I move:

That this bill be now read a third time.

I am very conscious of the time, so I simply urge members to support the bill. We have had plenty of time to debate the bill. This has been on the *Notice Paper* for more than three months now. It would be terrific if we could finish the day with it complete. Hopefully, that will be with the successful passage of the bill.

I would like to thank those members who have participated in the debate, regardless of their views. I think it is a terrific sign of a parliament that is working and a parliament that is debating important issues. Even though it may only be for a small sector of the community, it is still a very important issue to them and on that basis it is a very important issue to those of us in this chamber, because that is our job and our role: we are here to represent those in the community.

Bill read a third time and passed.

*Ministerial Statement***ALCOHOL AND OTHER DRUG STRATEGY**

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (17:52): I seek leave to make a ministerial statement.

Leave granted.

The Hon. L.A. VLAHOS: Today, the member for Davenport asked me a question about funding changes—

Members interjecting:

The DEPUTY SPEAKER: Order! I cannot hear the minister.

The Hon. L.A. VLAHOS: —to the Aboriginal substance issues connection program and treatment intervention program. I stated that one of the reasons that funding to the program was reduced was because of changes to federal government funding. The program I referred to was not funded by the federal government.

*Bills***PORT PIRIE RACECOURSE SITE AMENDMENT BILL***Final Stages*

The Legislative Council agreed to the bill without any amendment.

SURVEILLANCE DEVICES BILL*Final Stages*

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 3, page 5, lines 21 to 27 [clause 3(1), definition of *media organisation*—Delete the definition of *media organisation* and substitute:

media organisation means an organisation whose activities consist of or include the collection, preparation for dissemination or dissemination of the following material for the purpose of making it available to the public:

- (a) material having the character of news, current affairs, information or a documentary;
- (b) material consisting of commentary or opinion on, or analysis of, news, current affairs, information or a documentary;

No. 2. Clause 3, page 6, lines 27 to 29 [clause 3(1), definition of *private activity*, (a)]—Delete '(but does not include an activity carried on in circumstances in which the person ought reasonably to expect that it may be observed by some other person); or' and substitute:

, but does not include—

- (i) an activity carried on in a public place; or
- (ii) an activity carried on or in premises or a vehicle if the activity can be readily observed from a public place; or
- (iii) an activity carried on in any other circumstances in which the person ought reasonably to expect that it may be observed by some other person; or

No. 3. Clause 3, page 6, lines 32 to 35 [clause 3(1), definition of *private activity*, (b)]—Delete '(but does not include an activity carried on in circumstances in which all parties to the activity ought reasonably to expect that it may be observed by a person who is not a party to the activity);' and substitute:

, but does not include—

- (i) an activity carried on in a public place; or
- (ii) an activity carried on or in premises or a vehicle if the activity can be readily observed from a public place; or
- (iii) an activity carried on in any other circumstances in which a party to the activity ought reasonably to expect that it may be observed by a person who is not a party to the activity;

No. 4. Clause 6, page 13, line 17 [clause 6(1)]—Delete 'by a party' and substitute:

to overhear, record, monitor or listen

No. 5. Clause 6, page 13, line 24 [clause 6(2)]—Delete 'by a party to the activity'

No. 6. Clause 10, page 16, line 10 [clause 10(2)(b)]—Delete '; or'

No. 7. Clause 10, page 16, lines 11 to 15 (inclusive) [clause 10(2)(c) and (d)]—Delete paragraphs (c) and (d)

No. 8. Clause 10, page 16, lines 16 to 18 [clause 10(3)]—Delete subclause (3)

At 17:55 the house adjourned until Thursday 11 February 2016 at 10:30.