

HOUSE OF ASSEMBLY

Thursday, 7 July 2016

Parliamentary Procedure

SPEAKER, ABSENCE

The CLERK: I advise the house of the absence of the Speaker. I will invite the Deputy Speaker to take the chair.

The Deputy Speaker took the chair at 10:30 and read prayers.

Bills

CRIMINAL ASSETS CONFISCATION (PRESCRIBED DRUG OFFENDERS) AMENDMENT BILL

Conference

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) (10:31): I move:

That the sitting of the house be continued during the conference with the Legislative Council on the bill.

Motion carried.

SUMMARY OFFENCES (DISRESPECTFUL CONDUCT IN COURT) AMENDMENT BILL

Introduction and First Reading

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (10:32): Obtained leave and introduced a bill for an act to amend the Summary Offences Act 1953. Read a first time.

Second Reading

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (10:32): I move:

That this bill be now read a second time.

Courts are a fundamental part of our society and our system of government. Certainly, we rely on them to enforce our laws, to adjudicate individuals' disputes and most importantly to deliver justice and uphold the rule of law. The traditions and revered rule of the courts are such that the community expects that certain levels of behaviour should be adhered to in a courtroom.

Every year, our judges and magistrates have to deal with sometimes very difficult and stressful circumstances and it is very important that there be a following of the procedures and rules of the court in a respectful manner. Clearly, this is integral to the smooth flow of proceedings and affording all those involved their right to procedural fairness. When these circumstances are disturbed, and in particular there is conduct that is contemptuous of a court, judges and magistrates have the power to deal with serious behavioural misconduct designed to disrupt and undermine the operations of court by means of the contempt laws.

However, what has occurred in recent times, particularly publicly in both New South Wales and Victoria, is that the threshold the types of disrespectful behaviour are to meet to substantiate contempt has been called into question. In particular, cases of notoriety have exposed the fact that the gap between contempt and the community expectation of behaviour in court has been highlighted. Obviously, this is a worrying extension particularly of this exposed gap. So, what do we do about it?

This bill is designed to introduce a new offence as a summary offence against deliberate behaviour in court which is disrespectful. It is intended that this will apply to all courts. It is intended to introduce an offence which requires that there be an intentional physical act rather than an involuntary act and not require the person to intend to be disrespectful to the court; for example,

deliberately failing to stand when requested may be disrespectful, even if the person did not stand to cause disrespect by remaining seated.

The benefits of this bill are essentially to ensure that judges and magistrates are provided with an additional tool to regulate proceedings and manage their courtrooms. However, courts will still have all existing tools at their disposal to conduct their proceedings. Secondly, the purpose of this bill is to send a clear message that adherence to the laws and procedures of the judicial system is a fundamental expectation of all who appear before the courts.

Members may be aware that the New South Wales parliament has taken action in this space. Obviously, the 2015 case which came before their District Court highlighted concerns of contempt laws not being adequate to cover all conduct, and they moved to introduce an offence. The provision in their legislation, which has now passed the New South Wales parliament, was to introduce an offence of deliberate disrespect to the court, with penalties of up to 14 days in gaol or a \$1,100 fine.

Their legislation is also dealt with in a different model. It amends the Supreme Court, District and Local courts, Land and Environment Court and Coroner's Court legislation to introduce its management within that legislation. It should be noted that they have not introduced an amendment to their Children's Court regime, so children, in their category, would not be the subject of this.

The other matter which I think is important to identify in respect of the New South Wales legislation is that they have announced that their judicial bench books, which are like a guiding volume to assist judges and magistrates (the judiciary) in the management of their courts, will require that the offending person or persons in the courtroom undertaking disruptive behaviour be given an opportunity to apologise and, secondly, correct their behaviour and presumably abstain from disrespectful or offensive conduct in the face of the court.

I will add one anecdote here; that is, I do not think there was any intention in the New South Wales regime for there to be an opportunity to avoid penalties just by ingratiating themselves with a judge or magistrate. I recall one occasion at the Port Adelaide Magistrates Court many years ago, when there was offensive and vulgar language from the then prisoner, the defendant, who had been brought into the court, and it was repeated; there was a failure to abstain from it.

The fact that ultimately the prisoner did not apologise and did not even withdraw but was happy to continue the embellishments, with the reference to the judicial officer as Your Majesty, whilst welcome by the magistrate as a title of even higher status than he was entitled to, nevertheless did not avoid the responsibility of the prisoner to cease to continue disgusting language in the courtroom which, I might add, was addressed to everybody. So, an opportunity to apologise or to correct their behaviour does not mean they can envelop that disgusting behaviour in trying to ingratiate themselves with the magistrate.

Another matter I want to bring to the attention of the parliament is that in South Australia we have had some concerning recent cases which prompted me to look into this question of how we might best deal with disrespectful conduct in the parliament. I should say that the cases in New South Wales and Victoria have certainly been well publicised and controversial because of the conduct.

The custom being breached was largely a refusal to stand in the presence of a judge. Those who were defying the custom were people who claimed to be devout Muslims and that that was inconsistent with their custom not to stand for anyone other than their God. It is pleasing to note that a number of the leaders in the Muslim community have also supported the introduction of new offences, such as we are considering here today, because they too understand the importance of maintaining order, civility and dignity in our courts.

To the best of my knowledge, that has not been a phenomenon which has actually played out in South Australia, but we have had other cases which I suggest warrant the advance of this legislation. In particular, earlier this year we had a circumstance where the magistrate at the Youth Court was the subject of colourful language, to say the least, in respect of a young 14-year-old girl appearing before her. She made statements, along with other foul-mouthed contributions, including, 'You don't look like a judge, you ugly b...' which she cried out from the dock. On a

subsequent day, she indicated that she was sorry and the magistrate accepted her apology and the matter was dealt with in a sensible way.

Another recent case—I just do not have the material to hand—where there were several offending youths who used expletives in the courtroom, obviously causing disruption, again highlighted the need for us to deal with this issue. Contemptuous behaviour or disrespectful behaviour, the latter of which is being attempted to be dealt with in a fair but clearly firm manner by this bill, is something that we need to and must advance if we are truly to respect those who every day are acting to dispense justice and protect our community, and we in these circumstances should make provision.

The case I referred to earlier was where a 12 year old had appeared in the Youth Court and abused the magistrate, saying, 'I don't need an effing adult, I can do things myself. Eff you, effing dog S-H-I-T.' It is the sort of language that is concerning in itself, that people would act in that manner in these circumstances. I, and I am sure other members of this parliament, would understand the importance of ensuring that, if a person is appearing in court—usually it is the defendant who is the most unhappy.

But sometimes it is parties who feel that a decision is going the wrong way or they have not been successful in putting a submission who would act in a manner which is quite out of order. They are sometimes under the influence of a drug or alcohol, and in those circumstances may be acting out of their normal character. That is no excuse for disruptive behaviour. As long as the magistrate or judge is satisfied that the act is deliberate, then the issue in respect of their aggravated event, of having been intoxicated, certainly ought not to be something that mitigates against penalty or conviction.

That is not to say that people who are in this state, or who may be acting under the influence of others, should not be treated with some sympathy in those circumstances. In my view, unless—

Members interjecting:

The DEPUTY SPEAKER: Order on my right! I can't hear.

Ms CHAPMAN: —the offending party has a mental incapacity, they should be treated significantly by the magistrate to ensure that order is restored, and if that requires the prosecuting of this offence, then so be it. If the person or persons disruptive are acting under mental duress, then that is another matter, and we do not need to deal with that today. I commend the bill to the house.

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

BUILDING AND CONSTRUCTION INDUSTRY SECURITY OF PAYMENT (AUTHORISED NOMINATING AUTHORITIES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 24 March 2016.)

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) (10:49): I rise to speak on behalf of the government as the minister responsible for these matters and to commend the member for Schubert for bringing the matter before the house, which he did on 24 March 2016. The purpose of the bill is to amend the current Building and Construction Industry Security of Payment Act 2009 to withdraw all authority from the current Authorised Nominating Authorities (ANAs), appoint the Small Business Commissioner as the sole ANA and create an adjudicator review panel. I wanted to do the member for Schubert the courtesy of responding to this as the minister rather than to send it in with another member.

My approach is always to listen very carefully to constructive suggestions and recommendations in whatever form they may come from members opposite. I would certainly like to see the government recognising good ideas that come from the opposition and giving them credit and either taking them into account with its own deliberations and initiatives or supporting them if the case is made. Similarly, it would be nice to see the opposition, whoever that may be from time to

time, supporting government initiatives where they can see it is clearly in the best interests of the state, rather than the situation where the opposition and the government are always disagreeing with each other out of principle without considering the merits of the argument.

I think the member for Schubert has made some constructive, purposeful and worthwhile suggestions in his bill, though, as I will explain, the government will not be supporting the measure. This is because we will be taking it back to the parliament in a different form that covers some of the things that the member for Schubert has not included in his initiative, in order to make it more complete. I will explain further.

One of the recommendations set out in the Moss review dated 12 March 2015 and put forward by the Small Business Commissioner in a public consultation paper is to withdraw authority from the current ANAs and appoint the Small Business Commissioner as the sole ANA. On 17 June 2016, I announced a two-month consultation process, and that the consultation paper can now be accessed on the Small Business Commissioner's website. Submissions close on 19 August 2016.

The point is that the Moss review addresses many of the concerns that are shared by the member for Schubert. The consultation paper puts forward a series of recommendations in a three-stage approach to reform the building and construction industry. In stage 1, the Small Business Commissioner proposes that the following amendments be made to the act:

- the insertion of a penalty provision for intimidation;
- an amendment to section 29 to withdraw the authority of existing ANAs and appoint the Small Business Commissioner as the sole ANA. These are recommendations 40(a), 40(b), 40(d) and 40(f) of the Moss review;
- a further amendment to section 29 to allow fees to be fixed (by regulation) to cover the administrative costs of the Small Business Commissioner for providing services as the sole ANA. That is recommendation 40(e) of the Moss review;
- the insertion of a provision to enable the Small Business Commissioner to publish adjudications, which is recommendation 40(j) of the Moss review; and
- an amendment to section 4 to clarify the Christmas shutdown period, as proposed by the Master Builders Association.

The Small Business Commissioner also proposes the following under stage 1:

- the implementation of procedures by government to ensure subcontractors working on government projects are paid on a regular basis;
- the development of a building and construction industry code under the Fair Trading Act 1987 which would provide alternative dispute resolution services;
- the establishment of a secretariat to support the Small Business Commissioner in the new role as the sole authorised nominating authority and the responsibility of training adjudicators and administration of the act. The estimated cost of this resource is around \$900,000; and
- the establishment of an education program to promote the act and educate the industry, which is recommendation 40(c) of the Moss review. The estimated cost of that resource is \$200,000.

The commissioner then points to stage 2 and he suggests the following legislative and policy reforms to be considered:

- the introduction of simple and complex claims, which are recommendations 40(g), 40(h) and 40(i) of the Moss review;
- an extension of the act in order for it to apply to homeowner builders as discussed in paragraph 37 of the Moss review;

- the development of a policy, in conjunction with the Industry Participation Advocate, which in effect would be a 'good behaviour' test for principal contractors who bid for government projects of \$4 million and above for the metropolitan area and \$1 million and above for regional areas;
- the insertion of a provision in the act requiring directors of principal contracting firms to sign a statutory declaration confirming that subcontracts have been paid. These declarations would be published on a principal contractor's website and on the noticeboard at the worksite;
- the insertion of a provision in the act relating to the holding of payments in dispute in cases where a claimant has lodged an adjudication application; and
- the establishment of trust arrangements for all retention payments for projects over \$10 million.

Then there is a stage 3, which involves the establishment of a project bank account for government projects, which is in a form of trust account that allows subcontractors to be paid directly by the state government on an agreed schedule. The Small Business Commissioner anticipates that the expeditious implementation of stage 1 will result in a significant improvement in the operation of the act and principal contractor behaviour. A heavier regulatory approach could be implemented by the government under stage 2, and possibly stage 3, if the changes made under stage 1 fail to improve conduct in the industry and payment to subcontractors.

Following the conclusion of the consultation period, the Small Business Commissioner will review the feedback and prepare a briefing for consideration of the Minister for Small Business with the intention of bringing detailed recommendations, including legislative amendments to the act, back to cabinet later this year. It is evident from the three-stage approach I have outlined that the bill brought forward by the member for Schubert with good intent provides only a partial solution to some of the issues highlighted in the Moss review, and that what the government will be proposing will provide a more complete response to the issues he has raised.

Security of payment in the building and construction industry is a very important issue for the government and one which goes beyond the private member's bill, which is why the government will be opposing the bill. It is not because it is not a genuine bill, and not because it does not contain some good measures, but rather because we think we can do it better, if you like, and more completely, once we have gone through the process.

Again, can I just say to members opposite that I really encourage them to bring forward private members' bills and motions in the small business area. I will always consider them most carefully. Members opposite have a great deal to offer in this area. It is always better if you could ask for a meeting to explain your point of view to me. I will have my officers there, and I will make sure that we listen carefully.

I can assure the member for Schubert that we will be taking a lot of the issues he has raised in the measure into account as the process unfolds, and we look forward to his participation in the debate in the fullness of time. As mentioned, for the reasons I have outlined, we cannot support the bill, but it will form part of the substance of what is eventually brought to the house for consideration at a later time. With that, I conclude my remarks.

Mr KNOLL (Schubert) (10:57): I will make a number of points on the minister's speech. To take a slight step back to understand why we are where we are, on 11 March 2015, the retired District Court judge Alan Moss handed down his review into this Building and Construction Industry Security of Payment Act. The government then sat on it for three months, and then, in a speech to this place, the member for West Torrens, in a ministerial statement, tabled the review to parliament and also made reference to, at that time, the collapse of Tagara Builders which is, as we can still see, winding its way through the media and has done in recent weeks.

So, in March, the report was handed down. In June of last year, the minister makes a statement in response to the collapse of a major builder here in South Australia, and then nothing happens. We get to Christmas, and still nothing has happened, and the concerns that were raised in the review continue to go on, so that is why, after undertaking my own consultation on the review, I

decided to bring a bill before this place in March of this year. Now, we are already in July, some 15 months after the review was handed to the government, with still no real advancement.

I think the government and I agree, and the Liberal Party agrees, on the principle of needing to change the way adjudications are handled but, certainly from the discussion paper that the minister has put out, there are some discrepancies between what they are proposing and some of the measures that I am proposing as part of this private member's bill.

Essentially, the reason that I put those things in the bill is that, at the moment, we have a breakdown of trust between head contractors and subcontractors, and to a certain degree the natural tension that exists between the two of them is going to continue, because they will always be on different sides of the fence. What I tried to do quite explicitly was find a mechanism by which the two sides would be forced to come together, and that is why I included the provision of an adjudication panel, to appoint or review adjudicators, as part of making the Small Business Commissioner the only ANA.

The reason I did that was that it gives a very explicit opportunity for the subcontractors or head contractors, both of whom will have seats at that adjudication panel table, to air grievances about specific adjudicators, and for the Small Business Commissioner to then, upon the recommendation of that adjudication panel, make decisions about the appropriateness of a person.

Essentially it says to the industry: if you have a problem with the way the adjudicators are doing their job, you have an explicit legislated review mechanism by which you can make known your grievances and potentially have them heard. It is a panel made up of different sides of the industry that makes a recommendation to the Small Business Commissioner who, as the independent umpire, can make a determination.

What I see in the discussion paper does not provide a mechanism in that way. It does, as part of the background, and the Moss review talks about 'the SBC, as the ANA, refers the application for adjudication to an adjudicator whom he considers to be competent and unbiased'. I think that is something that needs to be fleshed out because 'unbiased' is the operative word.

The other thing I will say about this is that certainly we initially had a look at the discussion paper and we are welcoming feedback from the industry on it, but on the face of what we have seen here we think there will certainly be points where the changes need to be strengthened, and certainly the measures in my bill that we sought to bring forward are principles and ideas we will fight for throughout this change process.

I am disappointed the government has chosen to vote it down as opposed to essentially putting through my bill, which would help to enact legislation now as opposed to going through another consultation process, which is likely to still take months and months. They have obviously chosen to vote this down and to delay the process. In here they talk about Tagara Builders and about B.J. Jarrad, and there are issues within the construction industry that are not going away, and the longer this is delayed the more regulation, the more red tape, the more distrust and lack of confidence will continue to go on in this industry. It is sad to see that, once again, the legislative process will be used to delay better outcomes for this vital sector of the South Australian economy.

The house divided on the second reading:

Ayes	17
Noes	21
Majority	4

AYES

Bell, T.S.
Gardner, J.A.W.
Knoll, S.K.
Pisoni, D.G.
Speirs, D.
van Holst Pellekaan, D.C.

Chapman, V.A.
Goldsworthy, R.M.
Pederick, A.S.
Redmond, I.M.
Tarzia, V.A.
Wingard, C.

Duluk, S.
Griffiths, S.P.
Pengilly, M.R.
Sanderson, R.
Treloar, P.A. (teller)

NOES

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

PAIRS

Marshall, S.S.	Weatherill, J.W.	McFetridge, D.
Koutsantonis, A.	Whetstone, T.J.	Picton, C.J.
Williams, M.R.	Gee, J.P.	

Second reading thus negated.

FARM DEBT MEDIATION BILL*Second Reading*

Mr PEDERICK (Hammond) (11:09): I move:

That this bill be now read a second time.

I rise to speak to the Farm Debt Mediation Bill that was introduced in the other place late last year by my colleague and good friend the Hon. David Ridgway, and I acknowledge his work in this sector. I also acknowledge that the bill happened to get the support of the Liberal Party, and all of the crossbenchers in the other place, but not the support of the government, which is disappointing, to say the least, particularly when they talk about everything that is 'premium', and the 'clean green' agricultural lands that we have, and the produce that we do grow is very good.

Yet, when we see a position like this of good support for people who do get into trouble—and it does not matter what business you are in, but definitely in farm businesses sometimes because of climate, sometimes because of personal situations and sometimes a combination of both, and other matters—these things happen. Sometimes it can just be a run of bad seasons. Certainly we have seen issues over the years, especially around the eighties and towards the early nineties when interest rates were up to about 22 per cent in some cases, and we saw terrible pictures of farmers being up windmills getting away from their financiers, just trying to hold on to their last slim shred of hope to hold their land.

The purpose of this bill is to create a legally enforceable bank mediation mechanism for primary producers. With regard to the mediation, it is a structured negotiation process where the mediator, as a neutral and independent person, assists the farmer and the creditor in attempting to reach agreement on the present arrangements of future conduct of financial relations between them. In this state there is no legally enforceable bank mediation mechanism for primary producers and at present there exist two farm debt resolution procedures, including the Financial Ombudsman Service and the voluntary South Australian Farm Finance Strategy 2007 (the strategy).

The strategy is essentially an agreement between the South Australian Farmers Federation and the Australian Bankers Association, formed after a consultative process with SAFF, ABA, Primary Industries and Resources South Australia, Rural Financial Counselling Service SA Inc. and the Law Society of South Australia. We are not sure whether this agreement has been transferred over to Primary Producers SA since SAFF is now defunct. If it has not been, it is a redundant agreement.

Further, the issue with this document is that it is not a legal document and does not impose enforceable contractual obligations on any party. The purpose of this document is for financial institutions, assistance authorities, rural organisations and primary producers to work together to improve farm viability and resolve financial problems. The strategy provides for access to

independent professional advice by the primary producer, early recognition of financial problems, resolving financial problems by negotiation and voluntary mediation. Currently, the Rural Financial Counselling Service South Australia provides farmers and other primary producers services with financial counselling and also offers a range of farm business management services to a broader range of agricultural businesses. It is a not-for-profit organisation in this state.

With regard to other states, there is legislation to facilitate farm debt mediation in New South Wales and Victoria, and a bill was introduced in Queensland in 2003 but was not successful. New South Wales has the relevant legislation as the Farm Debt Mediation Act 1994, and the object of this act is to provide for the efficient and equitable resolution of farm debt disputes. Mediation is required before a creditor can take possession of property or other enforcement action under a farm mortgage.

The New South Wales legislation establishes a process by which a creditor must not take enforcement action against a farmer until 21 days have elapsed after the creditor has given a notice indicating an intention to take enforcement action and of the availability of mediation. The farmer then has 21 days to notify the creditor that they wish to pursue mediation, and then once a farmer has given notice a creditor must not take enforcement action. But there is an exemption, and there is an exemption in this bill.

If a creditor refuses to mediate, a farmer may apply for a certificate of exemption from enforcement action. The act also establishes the functions of the mediator, the process by which the mediator is selected, rules regarding representation and evidence to be presented during mediation, and the rules pertaining to a heads of agreement following a successful mediation. The corresponding Victorian legislation is similar to that of New South Wales, with variances regarding the rules of mediation and a subsequent heads of agreement.

Why what is happening in South Australia is not currently working is that the main shortcoming of the current arrangement is that it is completely voluntary, therefore the bank or other creditor is under no legal obligation to enter into mediation with the farmer. The farmer must rely on the goodwill of the bank, or other creditor, to demonstrate leniency. This is, at times, to the detriment of the farmer, and does not promote an equitable approach, aimed at achieving a positive result. The concern is that the bank or creditor will not always act in good faith or in the best interests of the farmer.

Rural Financial Counselling Services South Australia is limited, as it is a voluntary service, given that only 25 per cent of farmers in South Australia utilise this service. Given its voluntary nature, it is often bypassed or ignored by farmers and creditors, usually to the detriment of the farmer. Rural Financial Counselling Services of South Australia has acknowledged this and will support the proposed legislation enforcing mandatory mediation.

It is worthy noting that since the global financial crisis, banks and financial institutions are less likely to lend money and increasingly likely to foreclose on a defaulting property, without paying attention to individual circumstances. An initial consultation that was had, from our side of the house, with various stakeholders, saw support for the implementation of a legislative framework similar to that already in place in New South Wales. This proposal has support from stakeholders on both sides of the mediation process.

I have already noted that Rural Financial Counselling Services think this is a fair and reasonable idea to have this legislation enforcing mandatory mediation. Primary Producers South Australia said that the Rural Financial Counselling Services would be the best to consult and they would support their position. However, Primary Producers South Australia did question whether it was necessary. I find that an interesting viewpoint.

There were varying views amongst the banks. The ANZ Bank signalled that it would support the proposed legislation, given the independence mediation offers, and that came from the state General Manager of ANZ in South Australia, Kym Darcy. Some initial conversations with the Regional Director of National Australia Bank of South Australia, Malcolm Pridham, indicated support for the current model, and nervousness that mandatory mediation may drag out the process and cause undue pressure on both parties. This side of the house is still in the process of consulting with the ABA on these matters.

Certainly, in regard to what is happening in New South Wales, and looking at survey data from all parties involved in the mediation process, including farmers, creditors, mediators and representatives, generally the report found that the act was achieving its objects. All participants support the opportunity for farm debt mediation. Farm debt mediation is cost effective, and the majority of farmers, and the overwhelming majority of lenders, would use and recommend mediation again.

The results of mediation under the New South Wales act highlight the benefits of mandatory farm debt mediation. Specifically, 72 per cent of farmers reached a settlement. Positive settlements by farmers included 37 per cent of the time farmers refinancing their debt, 20 per cent of the time the lender giving the farmer more time to pay, and 23 per cent of the time the lender paying off part of the debt. A total of 60.7 per cent of farmers felt positive after farm debt mediation, with only 17 per cent feeling negative.

In regard to some of the debate that has been had and some of the debate around farm debt mediation, we note that the Hon. Gerry Kandelaars spoke in the other place and said that the government would not be supporting the bill, which is disappointing. I note that the Hon. David Ridgway in the other place had some briefings; one in particular was with the Small Business Commissioner and the minister for business in this place. They met and outlined that they would be advising the government that they would not support this bill.

The feedback in regard to that meeting with the minister was—this is the feedback from the minister—that the current farming industry dispute resolution code was working effectively and therefore a mandatory model was not necessary. Strangely though, in the very next sentence they also informed the Hon. David Ridgway that the farming code, which is working so well, has never been used by the Small Business Commissioner for any farm debt mediation. It is questionable that the government can say that the mediation model is working effectively when it has not resulted in one mediation since its inception in 2013.

That is why the purpose of this bill currently before the parliament is to require a mandatory mediation, something that the current model does not impose. It is about getting all the parties together—they being the farmer and the creditor—around the table early in the piece to ensure they have the opportunity to get the best outcome for everyone involved. There has been industry-wide support for this bill, but this bill has strong support from farmers and the banking industry.

The government and the minister also mentioned that they thought that the current model did impose mandatory mediation, but it does not. Under the current code, parties must voluntarily request mediation after having already attempted to resolve the dispute, and then it is at the discretion of the Small Business Commissioner to require mediation. This is not mandatory. This bill requires a creditor to write to a farming operation before it commences the steps involved with foreclosure. In regard to clause 8 of the bill:

A creditor who proposes to take enforcement action against a farmer under a farm mortgage must, before doing so, give written notice to the farmer in accordance with subsection (3).

The operative word of that sentence is 'must'. I think that is absolutely essential so that the farmer does receive that in the mail. It must be sent to a farmer informing them of their right to mediation. There is also a mechanism for the farmer to instigate mediation. So, there are notable points of difference between the current code and the bill that is before us.

Under this bill, the creditor must write to the farmer regarding mediation available through the Small Business Commissioner, which is not currently required under the farming code. Secondly, under this bill, the Small Business Commissioner must arrange for each farm debt dispute to be referred to mediation under part 2, to be the subject of a mediation by a mediator. Again, this is not under the farming code. The Small Business Commissioner, from what I am informed, has ample mediation resources to facilitate and implement this proposed legislation.

In the short time that I have left, let us note that drought has hit many parts of this state over many years, and it is to be noted that we have not had good springs for the last two years. Certainly, the South-East, which rarely sees drought, has had two or three years of terrible drought. Thankfully, there are some rains about and that will ease a lot of people's burdens, but there must be some very high debt loads that have increased significantly in recent times because of some of the unfavourable

weather conditions right throughout the state of South Australia. I commend this bill as a really workable process to help farmers resolve issues with their financiers.

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) (11:24): In the five minutes remaining, I will endeavour to respond. I just wanted to do so personally as the Minister for Small Business to respect the Hon. David Ridgway MLC in the other place's initiation of the bill. I have listened carefully to the member for Hammond. I know that he and the member for Flinders know all there is to know about farming, and the government takes very seriously their contributions.

I would simply say, though, that the government on advice from the Small Business Commissioner and others is of the view that this is a problem that does not require a solution because the solution is already in place. The purpose of the bill that was introduced on 2 December was to provide for mediation of disputes between farmers and creditors relating to debt incurred in the conduct of farming operations.

However, there is already a process to deal with farm debt disputes under the Fair Trading (Farming Industry Dispute Resolution Code) Regulations 2013. The code provides mandatory alternative dispute resolution processes to participants on a low or no cost basis. All that needs to happen is for farmers to seek to use it. To my knowledge, and I will just check this, the government has not been lobbied on this. The opposition claims that it is a matter of great importance, but I am not aware of farmers lobbying us, certainly me, on this or the banking industry. I would be happy to receive such representation.

The bill introduces additional red tape and poses significant resource issues, and the bill covers farm debt only. The code includes any business of primary production such as the business of agriculture, pasturage, horticulture, viticulture, apiculture, poultry farming, dairy farming, forestry, rearing of livestock, harvesting of fish and other aquatic functions. The code also deals with business related to disputes between farmers and local and state government, so actually the existing code goes well beyond what this bill proposes.

The Small Business Commissioner has a variety of powers under the code to assist in resolving disputes. Parties can be compelled to attend meetings, exchange information, answer questions or participate in alternative dispute resolution processes including the banks. So, all that needs to happen is for farmers to seek the activation of the code and the support of the Small Business Commissioner and their issues will be dealt with under the existing law.

There are two levels of penalties for breaches of the code. They are quite extensive and they involve fines of up to \$50,000 for a corporation or \$10,000 for a natural person, so there are penalties there that can give effect to what is being put to the house by members opposite. Upon receiving a written application, the commissioner has to determine if the application is one that could be considered under the code and there is a process there for that. If an application is one that can be considered under the code, an authorised officer notifies the parties and the dispute is followed up in writing, and the alternative dispute resolution code procedure commences in accordance with the code.

So, there is essentially a remedy in place to solve the issues that have been raised by members opposite in this bill. For some time now, the commissioner has been engaging with the banking industry in relation to a number of matters unrelated to farm debt disputes. The commissioner strongly encourages farmers and the banking industry to refer their disputes to the Office of the Small Business Commissioner for resolution through this mandatory process which already exists under the code.

The bill is opposed, as the code provides a mechanism already for dealing with farm debt matters and the creation of a farm debt mediation act will result in the duplication of existing processes and further red tape and expense. Where possible, rather than creating new structures, new rules, new regulations and new red tape, the government prefers to use the existing devices and methods that it has in place to help farmers to resolve their issues with the banks.

I thank the Hon. David Ridgway in the other place for seeking a meeting and a briefing on this, which we held at the State Administration Centre with the Small Business Commissioner, and

all the issues were explained at that briefing. That is a good way to manage these matters because we can then have a frank exchange of ideas. As I said, I will always consider carefully initiatives put forward by members opposite, particularly when they have to do with farmers, because I think members opposite have a great deal to offer in this regard.

However, for the reasons I have mentioned, we think whatever problem may exist out there can already be dealt with by existing remedies. The government does not support the bill, not because it has not been brought forward with good intent, not because there is not some merit in the substance of the bill and not because the argument has not been well put—it has been—but simply because we already have it covered. For that reason, I must say that the government does not recommend the bill to the house but commends members opposite, particularly the member for Hammond and the Hon. David Ridgway, for putting it forward.

Mr TRELOAR (Flinders) (11:30): I was hoping to make a contribution and then seek leave to continue my remarks.

The DEPUTY SPEAKER: Order! The time for the business has run out, as it is 11.30. If you adjourn, you are the first person away next week.

Debate adjourned on motion of Mr Treloar.

Motions

SMALL BUSINESS

Mr TARZIA (Hartley) (11:31): I move:

That this house notes—

1. (a) small business is the lifeblood of the economy and employment in South Australia;
- (b) the process for establishing a start-up small business in South Australia is restrictive, riddled with senseless regulations and is ultimately a disincentive for current and prospective small business owners.
2. Condemns the government—
 - (a) for its failure to support start-up small businesses throughout its tenure in office;
 - (b) for imposing the highest taxes, most burdensome regulations and worst conditions for the start-up small business sector;
 - (c) for being directly responsible for the loss of thousands of jobs in South Australia in the start-up small business sector and the severe financial and personal hardship these people have suffered as a result of the government's regressive policies; and
3. Calls on honourable members to foster policies which will benefit the small business sector and its employees in South Australia.

We are a great state, but we are being let down by a poor government. We know that we are a state that was built on great ideas and the creativity of those who have gone before us. With a global economy that is changing, some areas of traditional manufacturing are in decline. We do have many great challenges ahead of us as a state. We also need a government which supports the business ecosystem and which allows people in our state to pursue ideas. It was welcome recently to see our new Prime Minister, Malcolm Turnbull, move innovation into the centre of public debate—and rightly so. What this government should have been doing was following through and complementing what the Prime Minister was doing.

South Australians should not be afraid to be entrepreneurs in this state. The South Australian government should be encouraging people to become entrepreneurs, to allow people to pursue their ideas, to take a risk and be prepared, if they do fail, to try again. The future of our South Australian economy in maintaining our ever so high standard of living in our First World country depends on our progressing innovation and relevant technologies.

We all know that start-ups drive employment growth; in fact, from 2006 to 2011, it was said that they added 1.44 million jobs to the economy. We have also been told in the past that businesses that do innovate and are innovative are twice as likely to report productivity increases than businesses that do not innovate. There is also some PricewaterhouseCoopers (PwC) modelling

which actually shows that an economy that is innovation-focused certainly has the potential to raise GDP substantially—in fact, by \$37 billion in 2024, with a longer contribution to GDP as high as \$136 billion in 2034, which would create close to 540,000 jobs.

This government should be helping South Australians unlock the potential in this area. The South Australian government should be complementing what the current federal government has started doing. The federal government has recently launched a range of initiatives and continues to stimulate a range of areas. For example, have a look at the R&D tax incentive, which helped 13,000 companies with \$2.4 billion in tax support for eligible R&D investment in 2015 alone.

The government should know that innovation is critical to South Australia, but we are being let down by this state government. The current state government thinks the answer to the state's economic challenges is to increase taxes. We all know about the 100,000 jobs promise that was created by the state government many years ago. Where are they now, you might ask, Deputy Speaker? They are nowhere near that promise.

There were good programs and systems in place a few years ago, such as Playford Capital. What did the current minister and previous ministers of this government do? They got rid of Playford Capital, and that is not the only thing they have got rid of. We find ourselves in 2016 with the highest unemployment rate in the nation and a government that is more focused on activity, on satisfying the media cycle of the day, rather than being outcome driven.

If they were outcome driven, we would have those 100,000 new jobs which was the mantra of the Labor government back then that we do not have now, but they are focused only on activity, not outcomes. We need a government that is focused on outcomes in this area. They will be judged on their outcomes, not only in this area but also across other areas. Certainly, in the small business space and in the start-up space, they have let South Australians down dramatically.

A StartUp Muster statement was put out earlier in 2016. The report, which highlights the performance of the previous year, actually paints a very poor picture for South Australia. We saw that South Australian start-ups comprised just under 3 per cent of all nationwide start-ups, and the report actually places South Australia second to last on a state-by-state basis and last of all the mainland cities listed, including the Gold Coast.

To make things worse, there was a Sensis Business Index rating for the December quarter, which showed that business confidence in South Australia was languishing at plus 16, which is less than half the national average. No policy idea should be off the table if it will stimulate small business and stimulate start-ups. We know that start-ups are the foundation of our next generation of small businesses, and the start-ups of today's generation could well be the ASX-listed companies of tomorrow.

Small business is our largest employer and the biggest creator of new jobs. We certainly must restore small business confidence through lower taxes and lower regulation to help small businesses get ahead and thrive. The current government has actually created a culture within government of anti-innovation, a culture of regulation and a culture of high tax. That culture must end immediately. We know that, if you want to stimulate the economy, you need to tax less, and the government should be ruling out any new taxes.

We have fantastic opportunities in South Australia. Start-ups must be given a fair go to develop. Entrepreneurs must feel confident that they are able to take advantage of the incredible resources available in our state. Time and time again, our shadow minister for employment has done a good job of highlighting the flaws in the government's current economic policies. We saw that, for 17 months in a row or even more, South Australia has had the highest employment rate in the nation on trend figures.

Not only have we had high unemployment, we have also had a sustained fall in full-time employment in South Australia with the loss of many thousands of full-time positions since 2015. In fact, there are currently fewer South Australians in full-time employment than in April 2013. We would hate to see the state become a part-time employment state and we see many examples where the stats are not favourable.

I made mention of the fact that the government is obsessed with activity and not outcomes. If they were obsessed with outcomes then we would see the delivery of the 100,000 jobs promise. Let me give you an example of activity that has not resulted in a favourable outcome. We saw recently, as highlighted by the shadow treasurer, the Hon. Rob Lucas in the other place, how the Premier and his department had spent \$13.6 million on staff to distribute \$15 million in grants. We would say that this is an obscene waste of money that has been spent on staff to distribute a similar amount of money in grants.

Evidence to the Budget and Finance Committee recently revealed that the Weatherill Labor government spent \$4.9 million dollars this year on 30 staff in the new Investment Attraction agency to administer \$5 million of grants to businesses. Next year, the government is proposing to spend \$8.3 million on 40 staff to administer \$10 million in grants to businesses. So, over a two-year period you will see this current government spending \$13.6 million to distribute \$15 million. With policies like that, policies that are focused on activities but not outcomes, it is not surprising that South Australia continues to have the highest unemployment rate in the nation.

As an example, this agency was announced with great publicity. I tell you what—one thing that this government does well is glossy coloured brochures. They do some of the best, nice and easy so that members on the other side can understand them—more pictures, fewer words, just so that they can understand them. We need more than activity; we need outcomes. This is a very serious issue.

Mr Pengilly interjecting:

The DEPUTY SPEAKER: Is that the member for Finniss I hear?

Mr Pengilly: No.

Mr TARZIA: Probably.

Mr Pengilly: I don't know that he's here, ma'am.

The DEPUTY SPEAKER: I can't see him but I definitely hear him, and I shouldn't be hearing him.

Mr Pederick: It's an echo in the chamber.

The DEPUTY SPEAKER: It sounds like a very Finnissian echo.

Mr TARZIA: There was a recent Global Startup Ecosystem Ranking for 2015, released by *Compass*, a key resource that measures and ranks business start-ups. It did not even mention South Australia or even Adelaide. In addition, the 2014-15 Venture Capital and Later Stage Private Equity figures for South Australia released by the ABS were not even reported because the number of venture capital deals was too small. What we see here are regressive policies of the current government. Unfortunately, if this government does not get its act in order South Australia will be the laughing stock in this area, and we cannot allow that to happen. That is why we are here today shining a light on these issues.

We need to make sure that South Australia's reputation for fostering business start-ups is much higher. We need to make sure that we deliver in this area. The Premier in the past has said that innovation is certainly key to transforming the state's economy and that his vision is to position South Australia globally as a start-up destination, but have a look at tangible examples of how the government has, for example, handled Uber. Give us a break! What has happened with the driverless cars concept? Where is it? I would say that we not only have driverless cars but also a driverless government at the moment.

The government is obsessed with activity, as I said, not outcomes. If you are focused on outcomes then the delivery achieves an outcome, and at the moment that is not being done. Unfortunately, we have all seen, as embarrassing as it is, how South Australia continues to have the highest unemployment rate of the nation. Every state has issues with the fall of mineral prices, every state has issues with the decline of traditional manufacturing, every state has issues associated with the low Australian dollar at times, every state deals with these macro-economic factors; however,

when we look interstate, we see job growth. Why do we not see that job growth here in South Australia?

This government has had long enough now to do something about it; it will be judged on its record in this area. The government may today have some sweeteners in regard to the economy. We would welcome hearing more debate about the economy, just as we like it, because we know that this government does not have an innovation bone in its body. We know that this government does not have any credibility when it comes to running an economy and we know that this government does not have any credibility when it comes to supporting small business, which is the lifeblood of the South Australian economy. I am sure my colleagues will elaborate on this fact today, but we ask the government to have a good hard look at itself in regard to this area. We need to be doing more to stimulate small business and also the start-up sector as well.

We have already seen a decision by the government to unnecessarily jack up the solid waste levy, slug South Australians another \$64 million in tax, which will certainly hurt households. It seems that this government just does not quite get it. Increasing taxes does not stimulate the economy. You need to reduce taxes. You need to make sure that people go out and spend more money to stimulate the economy. That is how you get economic growth; that is how you get economic activity. With those few words, I commend this motion to the house and look forward to the debate.

The Hon. A. PICCOLO (Light) (11:45): I will be opposing this motion because I think it is a waste of our time, and I will explain why.

Members interjecting:

The DEPUTY SPEAKER: Order! Don't make me stand up.

The Hon. A. PICCOLO: All it is is what the opposition does best, that is, just oppose things. To talk about innovation when he did not have—

Mr Tarzia interjecting:

The Hon. A. PICCOLO: One innovative thought in that whole speech—

The DEPUTY SPEAKER: The member for Hartley is called to order.

The Hon. A. PICCOLO: All the member for Hartley did was spend all his time basically just canning the government. He did not put anything positive forward, not one idea.

The Hon. S.E. Close: Numbers.

The Hon. A. PICCOLO: Numbers, just numbers. That said, innovation is important and start-ups are very important, and I agree with him on that point. However, the question is: what have they done? What has the Liberal Party done in the last 10, 12, 14 years to promote this or support this? What has he done as member for Hartley to actually make this happen—

Mr Tarzia interjecting:

The Hon. A. PICCOLO: —to make it happen in his electorate?

The DEPUTY SPEAKER: The member for Hartley is called to order.

The Hon. A. PICCOLO: What has he done? I will tell you what I have done.

The DEPUTY SPEAKER: Sit down. The member for Hartley is called to order for the first time. The member for Light.

The Hon. A. PICCOLO: Today, I would like to focus on a great idea in my electorate which has been promoted by one of my business people. I am working with him to actually bring out real innovation and also to support the business sector, sustainability, small business, our schools, our students, retail (which is a very important business in my electorate), and agriculture and horticulture, with the promise of generating ideas which lead to change and make things better.

Rather than stand up like the member for Hartley and just whine for 10, 15, 20 minutes, I will explain to the house what I personally am doing, and what other members of government are probably doing as well, that is, working with our local communities to generate ideas. This idea came

from a retailer in Gawler. I will just read his email onto the record because I think it says a lot. It is a chap who runs a music store, so you might say he is in tune with the community. He says:

I have been a retailer in Gawler for close to twenty years, and an early adopter of any technologies that came along to assist us to grow our business, most often in e-commerce, being a retailer. My interest is in promoting and encouraging those in Gawler and its surrounds to adopt new technologies, as I and others have. A once-in-a-generation opportunity to establish an Innovation Hub in Gawler has presented itself which will have significant community benefits...

He knows that I, as the local member, and our government, share that vision for the state. He knows this. While the opposition talks down our state, we do support our small businesses and talk up our state. He is now working with me and other people in the community to make this concept happen.

This concept is called Think Gawler, in other words, bring the smartest and the brightest people in our community together, from students to people in business, science, mathematics, etc., to not only generate new ideas but generate new thinking because as a community our businesses will only survive in the long term if we think differently. Doing more of the same all the time does not enable us to compete.

We need to do things very differently. This is what we need to do: we need to support and promote thinking in our community. This is the new economy. This is the economy of the future. This is where the jobs will be. This is where the wealth will be, and that is why we need to do it. Rather than stand up here and complain about the government, I call on the member for Hartley to work with his small business community to generate new thinking. I would like to hear the ideas he has actually come up with.

I would like to commend Shane Bailey from my community. He is now working with my office, he is working with small businesses in our community, he is working with the local government, and he is working with schools. We have some outstanding schools in our community and we have some outstanding students. They are students whose thinking is ahead of my thinking (I have to acknowledge that) when they think about the future. They will generate ideas, and our role is to then work out how we can harness those ideas in this new thinking to make them happen. We have to do that.

I will certainly be working with the Think Gawler group to help generate those ideas and also to translate those ideas to help make the retailers in my community more efficient, more effective and break into new markets. I will be working with people in agriculture and horticulture in my electorate on how we can use new thinking to break into new markets and make them more profitable. We need to work out how we can work with schools to encourage young people to go into the sciences, engineering, mathematics, etc., to make sure that we support our young people, which we need to do.

We need to show leadership in here by encouraging people to do this, and not talking down our state, like the Liberal Party has done, but talking up our state and talking about the opportunities and helping—

Mr Wingard interjecting:

The DEPUTY SPEAKER: The member for Mitchell is called to order.

The Hon. A. PICCOLO: —our young people by providing them with opportunities. That is what I am doing and that is what members of the government are doing; whereas, members of the opposition, as they normally do, oppose and whine about things.

The idea of creating this innovation hub in Gawler is certainly one that I will support, and I will hopefully get some support from the government as well in terms of funding in the future, when we get some runs on the board. Think Gawler is a concept where a diverse range of ideas can be discussed, thus allowing for a significantly more detailed and community needs-based pitch to help people to compete in the marketplace. The idea is that this group will get together and generate ideas, and then they will go to the relevant government agency to see if they can get some support to make this a longer-term thing.

When people come up with ideas I think we need to support and promote them. We need to make sure that people know that in this place we are prepared to support them and talk up our state;

in other words, promote our state in the global economy, promote our state in this country as well. All I heard this morning from the member for Hartley was a lot of negativity. Why would you bother coming to a state with a future Liberal government if that is what they believe in? They have done nothing but talk down this state. That is why—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. A. PICCOLO: Well, I think the result on the weekend speaks for itself—

The DEPUTY SPEAKER: Order, member for Light!

Members interjecting:

The DEPUTY SPEAKER: Order on my left! I can hear the member for Hammond's voice easily, so next time I hear it there will be trouble.

Members interjecting:

The DEPUTY SPEAKER: Order! Member for Light, finishing off?

The Hon. A. PICCOLO: They say they laugh at me, but they still vote for me. That is all I care about. They still vote for me and in the majority—three in a row, so that speaks for itself—in what is a Liberal seat. So that says a lot.

Mr Whetstone interjecting:

The DEPUTY SPEAKER: Member for Chaffey!

The Hon. A. PICCOLO: I worked for a non-government school—

Mr Whetstone interjecting:

The DEPUTY SPEAKER: Order, sit down! There is no discussion going on between you at the back; it is to me. If I hear your voice once more, you will be called to order and warned. Member for Light.

The Hon. A. PICCOLO: Thank you, Deputy Speaker.

The DEPUTY SPEAKER: Finishing off, I hope—

The Hon. A. PICCOLO: I am, Deputy Speaker.

The DEPUTY SPEAKER: —because it is a bit repetitious at the moment.

The Hon. A. PICCOLO: Deputy Speaker, I am looking forward to working with a group of people in my community to make sure that we create ideas and that we translate those ideas into jobs, and promote—

Mr Wingard interjecting:

The DEPUTY SPEAKER: Member for Mitchell, I hear you again. You are warned for the first time.

The Hon. A. PICCOLO: —the wellbeing of my community.

The DEPUTY SPEAKER: I know the member for Schubert expects to be heard in silence, doesn't he?

Mr KNOLL (Schubert) (11:54): Not necessarily, Deputy Speaker.

The DEPUTY SPEAKER: Really? That would be very unparliamentary, and nothing you would encourage, I am sure.

Mr KNOLL: No, not at all, Deputy Speaker. I am going to address all my remarks through you and seek to enlighten you about how difficult it is to do business in the member for Light's electorate.

The DEPUTY SPEAKER: Well, I don't see how you can be the authority on that, but, go on, I will listen to you.

Mr KNOLL: I live pretty close. I have to drive through there quite often. The member for Light says that he is doing what he can to help support small businesses in his electorate, but in the—

The DEPUTY SPEAKER: Are we addressing the member for Hartley's motion or—

Mr KNOLL: We certainly are. We are talking about small business. Trust me, it all comes together—

The DEPUTY SPEAKER: At the moment, you are having a go at the member for Light.

Mr KNOLL: I am going to weave a rich tapestry that will weave together in a very tight quilt that will show the state of business in South Australia.

The DEPUTY SPEAKER: You are on a broad loom, are you?

Mr KNOLL: I knitted a scarf once, but that is about it. Let's take the areas just above Gawler: Roseworthy, Mallala and Wasleys. These are areas that are agricultural farming areas of our state. These are people who have just been hit with another NRM levy increase by this government. Those same areas, as well as every sporting club, every business and anybody who dares to own a property in the member for Light's electorate, have been slugged over the last three years an extra \$110 million worth of emergency service levy increases.

The member for Light's electorate has also been punished since his government came to office—admittedly before he was here, but certainly since after he was here and this government came to office—by being slugged an extra 233 per cent in water charges. We talk about having the highest electricity costs in Australia and the third highest electricity costs in the world because of this government's slavish obsession towards renewable energy that does not provide base load power.

If the member for Light wants to talk about rhetoric he can, but what we would prefer to talk about are cold hard facts, and what those cold hard facts show us is that we have the highest unemployment rate in the nation at 6.9 per cent currently, and that is not good enough. The unemployment rate is really the product, the end result, of what the government's policy settings choose to bring us, and certainly what I have outlined is the fact that this government punishes people who dare to go into business.

A better lead indicator of how our economy is travelling are the number of businesses that start up and the number of businesses that fail in any given year. On this score, we have to give the government a big fat F because, over the past four years, this government has managed to reduce the number of businesses in South Australia in round terms by about 4,700. That is 4,700 fewer businesses that are out there creating jobs. This lead indicator is disappointing because it means that there are not those increasing small business start-ups who are going to go on to employ people in the future so that we can potentially bring our unemployment rate down from this disgusting 6.9 per cent.

This is exactly why this motion has been brought to the house—to highlight the fact that what we are doing at the moment is not working and, as the member for Light rightly pointed out, if you continue to do the same thing, you are going to get the same results. This government continues to punish anybody who dares to start up a small business, and we are now seeing the results. What this government has done in its approach to helping to grow jobs in South Australia is to try to pick winners. We had the Treasurer, as he was then—the member for Playford—talk about the fact that South Australia was going to be a very different place in a few years' time because he believed that Olympic Dam was going to be the saviour. Unfortunately, that did not really go too far.

Mr Treloar: They started spending straightaway.

Mr KNOLL: That is right. We spent all the money without getting it in first. We then see that the government believes that a nuclear waste dump could be the answer. It could be an answer in about 15 to 20 years' time, but this idea that somehow it is going to fix our current woes is completely wrong. It is a long-term project that is going to have benefits potentially somewhere well into the

distant future. It is certainly nothing that will help to deal with the issues that we currently face in our South Australian economy.

The next big win is one that we have certainly got into South Australia, and all credit to the federal Coalition for delivering it for South Australia, which is the 12 future submarines and the frigates. That will create some jobs. We have no doubt about that on this side of the house. But if this government thinks that having the submarine contract delivered to South Australia is going to fix our economic mire, they are completely wrong because, whilst there will be thousands of jobs created and it will helpfully spin off other manufacturing industries in subsequent downstream industries, it is not enough to deal with the economic malaise that we have in South Australia.

We do not need 3,000, 4,000 or 5,000 jobs. We need 30,000, 40,000 or 50,000 jobs in this state and, indeed, every year we need more and more as our population continues to grow. Hanging everything on the submarines is not going to get the job done, but that is what this government does. It tries to focus on the big wins as a way to fix the South Australian economy instead of looking at the fact that there are 143,000 small businesses in this state and they are the ones that need help.

If we actually create a set of economic drivers that would help to lift the entire economy, we would see these small businesses start to thrive and grow. Admittedly, it will not deliver a great headline. Admittedly, it will not make for great newspaper copy, but what it will do is incrementally create jobs for South Australia right across different sectors of our economy. The way we do that is by prescribing a Liberal formula for government, and that is providing lower taxes. Whether it be payroll tax, the emergency services levy, or a whole host of other things, we can make it easier and cheaper for businesses to do business here in South Australia.

We can try to have an electricity policy that does not have the spikes and peaks that we see currently and the fact that the forward contracts for electricity in South Australia are starting to spike hugely because of our over-reliance on non base load power. We could actually deliver a water system that does not see a set of assets overvalued that deliver some of the highest water prices going around. These are the types of things that we need to deal with that will deliver economy-wide, statewide benefits to small businesses wishing to grow.

What we could also do is make it a bit easier for businesses to get on and do what they do here in South Australia by lowering regulation, but we do not see that. In fact, in a number of pieces of legislation that this government has brought to this house, they do not even do any sort of regulatory analysis of the impact they are creating through their legislative change. They genuinely have given up on helping to create a lower regulation environment, and that is something that we, as an incoming Liberal government, would very much seek to capitalise on, to help deliver those benefits across the economy into the South Australian economy.

The third thing we need to do is ensure that we are running balanced budgets so that we do actually have some room in our state budget to provide greater levels of investment for productive infrastructure, so that we can not only create short-term jobs in the construction phase of these projects, but hopefully, through the efficiency gains we would get from those projects, help businesses to do their job quicker, cheaper and easier. I think about things like better provision of road infrastructure and rail infrastructure. These are the productive pieces of infrastructure that our economy needs in order for them to be able to get on and grow.

What we need to see here is a complete change of focus of the government, and this is exactly what the member for Hartley is talking about in his motion. We cannot continue to focus on the big wins. They are important and they are part of the story, but for the government they are the only story. We need to focus on changing our economic settings so that all businesses can thrive in South Australia and our small business sector can thrive. If even half of our 143,000 small businesses were to put on a person for one day a week, we are talking about thousands of jobs.

If they grow incrementally year after year, being able to reinvest the little money they make back into their business, back into growing, to seeking out new products and new markets and employing more people, that is how we are going to see the recovery of the South Australian economy. It has to be a revolution. It has to be a small business led revolution to help kickstart the South Australian economy. I commend the member for Hartley for bringing this motion to the house.

There is nothing more important that we should be discussing in this place than finding ways to create jobs for South Australians.

The government has a pathetic, disgusting record to stand on. It is why we get this carping and responses such as we did from the member for Light. The only economy he is stimulating is the three-piece suit waistcoat economy, and most of that is not made in South Australia, so I do not think the jobs are really here to deliver that. Whilst he may think he is looking sharp and stylish, we here on this side of the house will actually find ways—legitimate, concrete and grassroots ways—to deliver benefits across the entire state economy so that we can actually see a thriving small business sector in this state.

Mr PEDERICK (Hammond) (12:04): I rise to support the motion by the member for Hartley, noting that:

1. (a) small business is the lifeblood of the economy and employment in South Australia;
(b) the process for establishing a start-up small business in South Australia is restrictive, riddled with senseless regulations and is ultimately a disincentive for current and prospective small business owners.
2. Condemns the government—
 - (a) for its failure to support start-up small businesses throughout its tenure in office;
 - (b) for imposing the highest taxes, most burdensome regulations and worst conditions for the start-up small business sector;
 - (c) for being directly responsible for the loss of thousands of jobs in South Australia in the start-up small business sector and the severe financial and personal hardship these people have suffered as a result of the government's regressive policies, and
3. Calls on honourable members to foster policies which will benefit the small business sector and its employees in South Australia.

Small business is the basis of our economy because that is how a lot of bigger businesses start. I note the regulation and work that people have to go through to manage small businesses in this state, such as payroll tax, stamp duty and other imposts. Look at the recent increases of the natural resources management levy, which are out of control across the sector. We see a government that would rather hit up individual households and farmers for many thousands of dollars. Collectively, a \$6.8 million increase is being paid straight into Department of Environment, Water and Natural Resources because the minister firmly believes that services to the South Australian public have been subsidised.

I thought governments were in place to actually do things for the community. The only reason the government is in place, and the only reason they have any money to spend, is that they have already received that money under taxation provisions, whether through state taxes or the generous funding that this government receives through GST rebates, especially through the horizontal fiscal equalisation scheme.

This government does very well. Over the whole time I have been in this place—and I am now in my 11th year—we have seen many announcements of GST windfalls of at least \$500 million. This happened way back throughout 2006-10 and it is ongoing. GST windfalls that are not budgeted for are basically blown up in smoke. It is disgraceful to see how the government treats businesses and the community despite these windfalls. The emergency services levy is another attack on small business in our state.

Every time there is an incident, people will be in fear not just for their lives and properties, but for how much their hip pockets are going to get belted once again by this Labor government, who just feel like this is a free ride. This government does not believe they should play any role in assisting our firefighters, the CFS or farm volunteers. These volunteers have their own units and are vital in fighting fires right across the state. They back up our CFS and are the first responders on many occasions.

As I have mentioned many times in this place, if it were not for the local farm volunteers, the most recent fire on our property at Coomandook, which was caused by a lightning strike, would not have been stopped as all of our units were tied up tens of kilometres away. They are great, worthy

citizens. As Richard Konzag from Mallala lamented when we had the Pinery bushfire trip, farmers are all quite happy to go out and fight fires, and they always will be. They all band together and at times travel many hundreds of kilometres to assist their fellow farmers and other residents. But then they wake up in a couple of months and get a bill for an extra few hundred dollars to pay for an expanded emergency services levy or natural resources management levy.

Quite frankly, as I have said before in this place, I am sorry to say that natural resources management has lost its way. We have seen the inaction with regard to New Zealand fur seals. Any action that has been taken has been meaningless. It is just melting cash and is an absolute disgrace. The one that really sticks in my throat is the putting up of around 80 metres of fencing on the Tauwitchere Barrage. The Tauwitchere Barrage, for anyone who does not know, is a lot longer than 80 metres. I do not know the length, but it is much longer than 80 metres. They forget that a seal just gets up on the barrages and goes around the edge of the fence. Perhaps that is too simplistic for the minister, who thinks he has done a great job in supposedly blocking these pests out, to understand.

The government have turned their backs on the fishermen and families in the Coorong at Goolwa and through to Meningie in regard to their small businesses by putting the rights of these seals above those of families. I really fear for the health and welfare of these fishing families into the future, but these families will not go down without a fight, and they are taking up the fight.

We also see what happened when we had the diversification fund payments that were going to be made from the Riverland right down through the Mouth—through the top end in the member for Chaffey's area, through Stuart and Schubert and down to my electorate. It would have put \$25 million into projects. It would have had many small contractors operating, whether it was building industry buildings, whether it was building a tourism venture at Meningie, which is sorely needed, or whether it was building other developments right throughout—assisting with the redevelopment of Murray Bridge's Sixth Street, for instance.

That money is sorely needed in regional communities, but this government just turns its back on the regions every time. Because they have one regional member, the member for Giles, that is the only region that gets any funding whatsoever. We have seen this with the road funding where the government does not even hide the fact. This same money supposedly gets accounted for in the GST receipts as well. The member for Giles gets his roadwork done, but it is not done in Liberal seats, so work that out. It is pick and choose. Certainly, today, we will see in the Treasurer's budget how much more picking and choosing is done and how much more regional South Australia does not get and what they have to pay to keep this government going.

I am really angry about what has happened with this diversification fund money because the Treasurer and the Premier kept saying it would get lost in the equalisation scheme and would lose up to \$21 million. So, that was the very worst-case scenario, and I do not think it was anything like that. Potentially, there would have been some trade-off, maybe half, but so what? Every other state took that money. There was \$75 million allocated through Queensland, New South Wales and Victoria, and that money was allocated for projects, but no, not in South Australia.

We get this government—the water minister, the Premier and others—banging on, and I say 'banging on', about how much they have done for the river in South Australia. Well, they have not done much at all. As to their support for our small business operators, and especially our irrigators who do such good work, they have opened allocations on 36 per cent, and they will not offset the use of the desalination plant which is just idling above total mothball status. I think it is an insult to our irrigation producers of this state. At every level, the government just gives excuses for why things will not happen.

What this government needs to do is work out that small businesses are the lifeblood of the economy, make it easier for them and put the appropriate tools in place so they can function and succeed, because do you know what happens? Not everyone, but a lot of people just turn their back on South Australia and walk out because it is too hard to operate here and too highly taxed with power bills that are too high and general operating costs that are too high. I commend the motion.

Mr WINGARD (Mitchell) (12:14): I rise to support wholeheartedly this motion put forward by the member for Hartley, which centres around small business being the lifeblood of the economy and employment in South Australia. As shadow minister for small business and as a former small

business person also, I know all too well the challenges that small businesses face in South Australia, and I hear all too often a number of people who are forced to leave SA for better business opportunities, and most often they head to the eastern seaboard.

In March this year BankSA's State Monitor survey reported South Australia's lowest business confidence in nearly three years. More recently, CommSec's State of the States report ranked South Australia's trend unemployment 25 per cent above the decade average. Overall, South Australia's economy was ranked seventh. For far too long we have been sitting at the bottom of too many economic measure tables, and to see South Australia sitting bottom or second bottom on so many of these tables is an absolute disgrace and it is a blight on where this government has taken South Australia.

This state government has not done what is needed to lift up South Australia. It has not done what is needed to grow jobs in South Australia and to get South Australia working, and its hit on small businesses is a classic example of its ineptitude and its lack of understanding of what makes a great state tick. South Australia, as I said, has sat for too long at the bottom of the table. The government must use today's budget to address these issues, and really it should not have got to this stage before the government looks to act. We have just spent too long heading down to the bottom of the table, and the government has just been lax in bringing forward any measures and turning around South Australia.

Since the beginning of 2015 more than 35 companies based in SA have downsized or closed. That is around 4,000 people who have lost their jobs. We are talking about large numbers, but these figures are more than just a number, they are people—fathers, mothers, brothers, sisters and children, South Australians who want the chance to work and support their families and put back into the South Australian economy—but this government is not supporting those people. This state Labor government has let down people.

If we look back just in recent times (and I do not want to go back too far because it pains me to see it), since this Labor government has been in charge it really hurts to see the number of businesses that have closed down. We know that Penrice lost upwards of 250, nearly 300 people; Mondello Farms, back in 2013—the list goes on of companies that have closed down in South Australia, and the number of jobs lost is just astronomical.

These numbers and figures are all tabled in a report put out by the parliamentary library. Accolade Wines, Hills Holdings, Elders, Arnott's Biscuits, Santos—the list goes on. It just pains me to read of the number of jobs that have been lost in South Australia since this state Labor government has been in charge, and it keeps getting worse and worse. They do not understand what is needed to support small business or the opportunities that small business presents. They have let South Australia go down the tubes before they have started to think, look and act.

Let us look at a couple of examples of why this state government's poor management has taken South Australia to the bottom of the ladder about which I spoke. Payroll tax is one we have been pushing for a long, long time, and thousands of small businesses have spent the first half of this year in limbo, without the confidence to hire new staff due to the uncertainty around payroll tax rebates.

We have been calling on the state government to extend the rebate for small businesses since at least Christmas or before, but at Christmas time, in the Mid-Year Budget Review, our leader stepped forward and said that the state government must continue the rebates for small businesses, but it was ignored. It was ignored until just the other day, when the Treasurer realised that this is what has to happen, and he has brought forward those rebates and has included them in this budget. I commend that, but condemn the delay in bringing it forward.

I have had businesses come to me and talk to me about the fact that they have had to look, spend and invest money in restructuring and reshaping their business because of the uncertainty created by the Treasurer by not implementing these rebates earlier. So, money has been invested and, in effect, wasted, because the Treasurer then, at the last minute, at the death knell, turned around and said, 'We'll keep these rebates in place.' That is a lack of understanding of how business operates, and it shows that this Treasurer has no respect for small business in South Australia.

The ESL is another tax that this government keeps raising, hitting families, hitting businesses and impacting the cost of doing business in South Australia. The height of the ESL tax impacts on businesses. Businesses decide whether they will set up in South Australia or whether they will set up somewhere else. They look at the rise, and the gouging by our state Labor Treasurer to get money out of businesses for his own hip pocket. Businesses just say to themselves, 'I'm not setting up in South Australia, it's not worthwhile', and those jobs go to the eastern seaboard.

Like the payroll tax decision by the Treasurer to wait until the death knell, the lack of surety goes with the waste levy as well that the Treasurer has just announced—a bad news tax. He waited until after the federal election to hit South Australians with that levy. It is another tax on families, another tax on small businesses, and it is another impost that is impacting jobs in South Australia. The Treasurer waited until after the federal election, to try and help out his side. I presume that is all he was doing—playing games with us again. He has brought in this waste levy, increasing the taxes and charges to have your rubbish collected at home. It is potentially a push to prevent your rubbish being collected weekly, which most people like.

The Treasurer waited until after the financial year to bring it in—to announce this new levy, this new charge, this new hit on businesses and families. How confusing and how disruptive can that be to businesses and to local councils, to tell them after the end of the financial year? What does this Treasurer think? That they would wait until 30 June and then decide what their budgets are going to be and then start their planning?

Planning is done months in advance. The Treasurer knew this extra tax was coming. He knew he was going to put this impost on South Australians, but he waited until after 1 July, until after the start of the new financial year, to add this extra impost onto families and businesses. It just shows the lack of understanding that he has. On this side of the house, we support small business—we support businesses. We want to see business grow. We want to see jobs created in South Australia. We want to get South Australia working. That is what we are about. I am interested to hear what the Treasurer has got to say this afternoon, but in last year's budget speech he said:

We must lower the cost of doing business in South Australia and unlock the entrepreneurial spirit that has grown this state, helping South Australian business invest and grow.

A great plan, a great initiative and a great thought, but he just fails to deliver yet again. I am constantly contacted by people in my community about the high cost of doing business in South Australia, and this Treasurer talks the talk but he just does not walk the walk. I quote again from last year's budget where the Treasurer said, 'Jobs are the centrepiece of our reform package.' That is what the Treasurer of South Australia said. That was his push, that was his quote. Yet, what have we seen for the last 18 months since the Treasurer made that statement?

South Australia has had the highest unemployment rate of any state in the nation. We have had the highest unemployment rate of any state in the nation since the Treasurer declared jobs were the centrepiece of his reforms package. That is an absolute joke. It shows that he cannot deliver for South Australia, and it is a great example of why South Australia is going backwards.

On 16 June this year, two days before the state budget was supposed to be delivered, bearing in mind that this government had promised to deliver 100,000 jobs by March 2016, only 4,350 more people were employed in South Australia. So 100,000 was the target and 4,350 was the outcome, and that shows the credentials of this Treasurer. When he has a jobs reform package, South Australians cannot believe it because that is what he delivers. This state Labor government promises 100,000 jobs and delivers 4,350. It is an embarrassment.

I hear the member for Light talk about what we are doing on this side, and our leader has quite proudly put out our '2036' manifesto as a vision to take South Australia forward. We have seen what has happened over the last 14 years, and South Australia has gone to the bottom of the table. Our '2036' manifesto has outlined our nine key policy areas. If we go to point 1 in the manifesto, that is arguably the most important, and it is about growing our economy. At point 1.1, the most important thing for South Australia as it stands (because of what this state Labor government has done) is to grow jobs, relieve household budgets and reduce taxes.

That is what we are focused on. That is what we need to do, and that is what South Australians want to see from their government. I have plenty more to say on this. I have a number of

positive stories to tell about people who have grown their businesses, but they tell me of the impost that has been put in front of them, and how this state Labor government has done almost everything they can to prevent them growing and creating jobs in South Australia. We want to work with these people, we want to take these imposts away, we want to create jobs for future South Australians, and we want to get South Australia working.

Mr WHETSTONE (Chaffey) (12:24): I rise to support the motion put forward by the member for Hartley. Obviously small business is a passion of mine. It is something that I have been involved with all my life. I must say, having been very fortunate to have some successful ventures along the way, it has been one of life's great experiences. Yes, South Australia is a tough place to do business; yes, it is overregulated and overtaxed; it is one of the toughest states in the nation to set up a new business, particularly for young entrepreneurs and particularly for people who are trying to get a start in life.

I would like to congratulate the member for Schubert. His family business, Barossa Fine Foods, is one of the great success stories here in South Australia. It has just recently been given great accolades for advancements within the business, their marketing and their product. It is a product that I think every South Australian would look at and recognise as a premium, first-class, safe product where they can be assured of value for money.

Recently, I was given the opportunity to be an emcee at Exchange SA, which is a function to disclose the ASX top South Australian businesses and companies, and they gave their overview of just how they were performing. One of the common themes was how tough it is to do business in South Australia—the regulatory requirements, the processes they have to go to so that they do not have to jump the hurdles and the walls they have to hit doing business in other states. There are problems here in South Australia, but there are also solutions.

We have heard a number of members vent their frustration, having been small business operators themselves. They have been able to highlight where they see the barriers to getting on in life, if you like, with existing businesses and new businesses. This is what South Australia is made up of. Of the 146,000 small businesses in South Australia, 4,200 are in the electorate of Chaffey, and I am very proud to say that it is probably one of the most diverse food bowls in the state. However, the people I speak to regularly are saying just how tough it is.

We talk about the cost of electricity, and that is primarily because we have lost our capacity with base load. We talk about water prices and paying for a desal plant. Sadly, the cost-benefit analysis has only just come out after four long years, and we see that it has no room to support industry. It has no room to be able to support the economy here in South Australia. It is just going to sit there unless the minister changes and we get a minister with some real nous and some foresight.

The desal plant needs to be kicked into gear and we need to be able to use it for the benefit of South Australia's economy, not just have it sitting there as a white elephant accumulating dust and costing every South Australian a huge amount of money—just as an ornament basically. That is the way it is going to be used because I do not see that it is ever going to be started. To be quite frank, we have had a millennium drought and we did not use the desal plant because it was not built. We have built the desal plant and now the minister has come out and said, 'The cost-benefit analysis says that it's not viable to get it running.' I think it is just outrageous that we have this \$2.3 billion ornament sitting on the mantelpiece that is going to be of no benefit to South Australia.

Everyone has talked about the incredible rises in the ESL, justified by the government saying, 'We are going to buy new equipment for our emergency services.' That is the government's responsibility. Again, it has just been a cost-shifting exercise. We talked about NRM levies and of course that is another cost-shifting exercise, from a broad-based state responsibility now to landowners and water owners who are going to get smashed. It was previously the responsibility of the state and it is now the responsibility of only a few.

I have already spoken about the red tape, the regulation costs. You walk into a government office nowadays and you fill out one, two, 10, 30 bits of paper and every bit of paper costs \$285 or \$156. Again, it is just a disincentive for business. The Save the River Murray levy that has been taken off the agenda by the government. We find out this week that the annual report has been tabled for

2014-15. The Save the River Murray levy was just a quasi-levy fund for government to pick up and use for their responsibility. It has just been siphoned off for government expenditure.

I do want to talk about some of the great businesses, particularly in the Riverland and the Mallee and obviously about the 4,200 SMEs. The importance of those businesses to remain strong is critical. The platform for small business is confidence. There is nothing that underpins investment or small business or progression here in South Australia like confidence. It is about a small business having the confidence to invest. It is about a small business having the confidence to go to a bank and say that they want to take the next step and increase the footprint of their business. They want to be able to go to a bank and say, 'I need to employ more people.' That is what small business is about, having the confidence to progress, to employ more people, to generate a bigger economy and to make South Australia a better place.

As a small business owner, my family and my friends are all giving me the same story about just how tough it is out there. We hear members on the government side, particularly the member for Light this morning, saying that he knows, that he has the solution, that he is talking to people. He has never been in small business. He does not know. He can listen to what small businesses are saying, and I can guarantee that he is hearing the pain in how hard it is to actually run a small business here in South Australia.

We do have the Small Business Shopfront Scheme. That was spruiked for its efforts to assist South Australia's small businesses with the establishment of a shopfront in the central business district of Adelaide, which was completed this month. What I want to know is: where does that appear in regional South Australia? Where is the help for those disappearing shopfronts in every regional centre, those closed shops, those empty buildings? Where is the assistance to help them?

I do want to congratulate the commonwealth's SARMS funding of some \$265 million that has come into river communities. That money was put into business, but it was not a gift. That \$265 million was put there as a sweetener for communities to give up their water licences. They had to give water back for that \$265 million. It was not a handout. It was water given back at an advanced water market price so that they could advance their business model, so that they could upgrade their efficiencies. Sadly, when you upgrade your efficiencies within irrigation you have to use more power. They get an incentive from the commonwealth government on one hand and they get smashed by the state government on the other hand. That is something I think that the state government has failed on.

I do want to talk about when the cabinet visited the Riverland. They talked about the Renew Riverland Program. It was about filling up empty shops. It was about putting a program in place that would give people the confidence to open up a business. Sadly, the \$200,000 that was put in place was spent. Sadly, it was spent on administration, on a shopfront of their own, and when it came to actually making things really work, it failed. It was a \$200,000 flop. It really is sad.

South Australia must be more innovative. The government must help those innovators live their dream, help the economy, make small business progress. Not only in the Riverland and the Mallee is water security something that South Australia needs to address. We have copious amounts of treated water going out into the gulf. We have copious amounts of stormwater going out into the gulf, wasted. We have a desal plant sitting there doing absolutely nothing. I think the minister should be ashamed of himself for using a feasibility study to say that we cannot turn it on.

We hear about the \$1 million taken away from the Centre for Plant Functional Genomics. That is R&D; that is critical—critical research that this state needs to undertake so that we can grow our economies, we can advance our economies, we can move on and be competitive on a world platform. Again, we need to look at food, beverage.

Time expired.

Mr WHETSTONE: I am going to continue my remarks—

The DEPUTY SPEAKER: No, you are not going to continue.

Mr WHETSTONE: —in an adjournment grievance. Thank you.

Ms DIGANCE (Elder) (12:34): I rise to speak against this motion, and I am sure you are not surprised at all. What I will say is—and I know the house has heard this before—that I am an avid supporter of small businesses. They are the lifeblood of our state and the economy, and I am sure you are aware that I come from a small business background as well. I do a lot of work to support small businesses in my area, for which they are very grateful.

I would like to put on the record a whole lot of strategies that the government has in place that actually support small business. I do want to say first up, before I progress into that, that I am quite puzzled by the use of the words in paragraph (b) about 'riddled' and 'senseless'. I am still none the wiser as to what they actually transpire into as far as a policy may look and any direction. I will watch and I will wait and see how that might come about from your side, but I do note that there have been many words used that talk about failure and condemning, and the usual negative rhetoric, which is not helpful.

I know from businesses that I speak to in my area that are growing, that are innovative and that are really excited about what they do, that they are not happy with your language at all—they are not happy. They want to see support for what they are doing. They want to see people getting behind them, as we do on this side. We get behind them, we support them, and we talk up South Australia. They are not happy that you are negative, negative, negative.

Mr Pengilly interjecting:

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

Ms DIGANCE: With that, I will go into a quieter rhetoric, and I will talk about the government's achievements. I know that this government is committed to supporting a dynamic and sustainable small business sector and helping to ensure that South Australia's small businesses continue to be competitive and resilient. More than 99 per cent of all businesses in the state are small to medium-size enterprises. They are the driving force of employment and growth, which is why we have recognised their importance within our economic priorities, especially economic priority 10, which seeks to ensure that 'South Australia's small businesses have access to capital and global markets'.

This priority reflects the understanding that to support the ongoing growth and resilience of the state's economy South Australian businesses require the capital, skills and connections that will enable them to thrive as global businesses and create jobs. The government's commitment to small business includes support for all stages of the small business life cycle, from start-ups to established small businesses seeking growth. The government, through the Department of State Development, works closely with industry and stakeholders to deliver support, information and business services targeted at the needs of small businesses across both metropolitan and regional South Australia.

A key objective of the government small business strategy is to encourage the establishment of start-ups and support existing small businesses to develop. This includes shaping a business environment that encourages and supports entrepreneurship and enterprise creation, an environment in which start-ups have scope to expand rapidly, and established businesses have opportunities and capabilities to grow.

To this end, we have committed to working with industry to improve the business and regulatory environment for all small businesses. Examples of this include the most comprehensive package of tax reforms in our state's history, returning almost \$670 million to businesses and families over four years; our commitment to red tape reduction to improve regulations through the work of the Simpler Regulation Unit; and the most significant reform of workers compensation in more than 25 years through the introduction of the Return to Work Act 2014, expected to deliver savings to business of around \$180 million each year from 2015 to 2016.

To ensure that all small businesses can compete in a fair business environment, the state government established the Office of the Small Business Commissioner and the Office of the Industry Advocate. The Small Business Commissioner seeks to boost small business confidence and participation in a fair and equitable business environment. The Small Business Commissioner provides timely and cost-effective options for managing disputes and to prescribe and enforce codes of conduct for the industry.

The Industry Participation Advocate works to ensure that local businesses leverage maximum opportunities from the almost \$4 billion worth of contracts let annually by the South Australian government, securely through its portfolio of building and construction projects. These services will be supported by the establishment of a new small business first-stop shop in Adelaide, bringing together the services of the Office of the Small Business Commissioner, Department of State Development and the Office of the Industry Advocate in one place for the first time. The shopfront is expected to open this year.

I have facilitated round tables for small businesses in my area, and I have had the Industry Participation Advocate and the Small Business Commissioner attend on numerous occasions. These conversations with the small to medium-size business owner-operators have been very productive, and they are very grateful every time that I have facilitated these particular conversations. This government is also committed to firm level support for the state's small businesses, regardless of whether they are an entrepreneurial start-up or an established small business. We are actively supporting entrepreneurial start-ups through a wide range of initiatives such as:

- the SA Young Entrepreneurs Scheme, delivered through Business SA and aimed at supporting young professionals to develop and start a business;
- Innovyz START program, which was established as a mentorship based accelerator program to assist innovation companies to raise capital, transition into public companies and navigate rapid national and international growth as part of the Global Accelerator Network;
- Venture Catalyst, an initiative of the South Australian government and the University of South Australia to encourage student entrepreneurship and the creation of local start-ups by providing funding for early-stage ventures founded by UniSA students and recent graduates. The funding enables them to further develop products, services or processes and take them to market;
- Majoran Distillery, a co-working space for technical practitioners and start-ups, and SouthStart, an annual conference for the start-up community;
- The Digital Growth Program, delivered through the Polaris Centre, which helps businesses from start-ups to those which are well-established to succeed online; and
- the new Small Business Development Fund, established under the Northern Economic Plan, which provides grants of up to \$20,000 to assist people to start new businesses in northern Adelaide.

So, that just lists a number of things that the South Australian government is actually doing. Recognising the need to better support the commercialisation of our research by early stage businesses, the state government released a report commissioned by Redfire Consulting Group in early 2016. This report evaluated the South Australian early stage business ecosystem and government funded programs that support early-stage businesses.

The report provided a range of recommendations to improve support for early stage businesses in South Australia which the South Australian government is considering a response to in the lead up to the 2016-17 state budget which we will hear about later. To support—

Mr Duluk: Cannot wait!

Ms DIGANCE: I am pleased because I think it is going to be very interesting for you, so I am glad you are enthusiastic.

The DEPUTY SPEAKER: Order!

Mr Duluk: Producing a surplus by selling assets—brilliant economics!

The DEPUTY SPEAKER: Order! The member for Davenport is called to order. It is unparliamentary to interject and to respond to interjections, and I do not need to remind members of that as well as the fact that they need to be heard in silence.

Ms DIGANCE: To support and accelerate the growth of established small businesses, the government provides a range of initiatives to build business resilience, capability and capacity. The Coaching and Mentoring program for established businesses is delivered by Business SA on behalf of the state government and provides mentoring to small businesses with a turnover greater than \$150,000. The South Australian government small business telephone support helpline has assisted over 400 businesses with a variety of issues from July 2015 to May 2016.

Mr Whetstone: Please hold.

Ms DIGANCE: I'll put you on hold.

The DEPUTY SPEAKER: Order!

Ms DIGANCE: A range of new business capability development workshops, covering the key skills required to successfully run and grow business, is being delivered across a range of metropolitan and regional locations. A business advisory service is located within the Tonsley industry and education precinct, offered in partnership with the City of Marion. I know these programs very well. They do a lot of really good work supporting businesses and start-ups.

Information, self-help tools and resources are provided to help small businesses with management training, coaching and mentoring. I think my time is running out, but I have so much more to say about what we are doing to support small to medium-sized business. We act. We are supporting them. I know the businesses that I work with are very grateful for what we do to support them, and we are creating an environment in which they can actually do business. It is not a negative environment; it is a positive environment. Certainly there are hurdles, but we support them through that and we talk with them and connect with them and make sure that they succeed in what they do.

The DEPUTY SPEAKER: The member for Adelaide has a contribution.

Members interjecting:

The DEPUTY SPEAKER: Order! I insist that the for member for Adelaide be heard in silence.

Ms SANDERSON (Adelaide) (12:45): I rise to support the motion, and I would also like to congratulate all the small business owners on their hard work and their dedication to employing people throughout South Australia. Without them, we would be in an even worse state than this Labor government has already delivered. As a small business owner of 18½ years myself, I feel quite qualified to speak on this topic.

I started my first business in 1994 at the age of 25. That business is still ongoing and has been sold on to a previous staff member of mine, who is now running a successful business, which is quite amazing in this economy. However, during the 15 years prior to my coming to parliament, it was actually my experience of watching our state fail, of watching businesses close and the people around me go out of business and lose everything, and of the difficulties I faced through the incompetency of this government.

The red tape, the legislation, the high taxes—everything was set up to make it as difficult as possible to run a business in the state. As a modelling agency owner who worked mostly with young people and university students who wanted confidence in grooming and part-time money, I watched hundreds, if not thousands, of young people leave this state because there were no job opportunities available for them here. It was actually watching the incompetency of this Labor government that drew me to stand for parliament—because I could no longer stand to watch our young people leaving this state.

My friends have businesses closing down and losing everything they worked hard for because this Labor government has no idea how to run a business. They know how to run a union and that is about it. The bar had been set so low that, even with no experience in politics, I needed to do something about what was happening to my state. Yes, the government has made some progress and has had some recent understanding of small business; however, there is a lot more that could be done—a lot more.

Every day I wake up I cannot wait to be in government so that we can finally have a government that does understand small business and that does understand that union memberships do not pay taxes and do not build an economy. Small businesses build the economy, and we need more people working in small businesses. We need to remove the red tape, the legislation, the high taxes and all the difficulties the government places in front of small business. It is not only state government; local government also needs to make changes.

I remember applying for contracts with the Adelaide City Council about 20 different times. You have to fill in about 200 pages of paperwork and you have to have manuals on how to put a Band-Aid on somebody if they get injured. It is just ridiculous. When I started work in parliament, I thought, 'Right, maybe I can get a trainee to cover a staff member who has a small child. She could start at 9.30.' It would be great to have a trainee who could open at 9.00, cover for the lunch breaks and, as parking on Melbourne Street is only for a maximum of four hours, unless you get there super early, somebody who could cover car moving, lunches, banking, opening—bits and pieces here and there.

However, under the legislation, a trainee cannot do an open: they cannot be left alone. There are just so many restrictions. The catwalk I used to move in high heels and a suit would now require a manual for somebody else to move it. I need a manual for everything: for how to stack chairs, for how to move the catwalk for the next class. Unless the small business owner does everything—apparently the so dangerous job of moving chairs and stacking them in piles—you have to have manuals now—

Ms Digance interjecting:

The DEPUTY SPEAKER: Order! The member for Elder is called to order.

Ms SANDERSON: —which is just absolutely ridiculous.

The Hon. P. Caica: Don't make things up.

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

Ms SANDERSON: I remember several years ago sitting in this chamber as a Labor government cut funding to the business enterprise centres and sent the funding to Business SA instead, thinking that they are very similar. If you had ever run a business, you would know that they were nothing alike. I started as a small business owner under the New Enterprise Incentive Scheme, which is a very good scheme—a commonwealth scheme supported, I believe, by both Liberal and Labor federal governments.

Under that scheme, we had training for a year through the business enterprise centres. Adelaide city had one and that was part-funded by the state government and the Adelaide City Council. That was a wonderful opportunity to learn new things—legislation, employment, regulations, marketing, networking—and also to network with other people in the area.

The fact that the government would defund the business enterprise centres—the very thing that helped businesses thrive and network and build in this state—just shows that their level of knowledge in this area is lacking. Yes, there are a couple of business hubs. I love the business hubs: they are a fantastic, grassroots place to get people started. But once you start to employ anyone or you have the overheads of a building in this state, you are in big trouble because everything is set up against you—the legislation, the red tape. All the laws make it nearly impossible.

If you want to work from home or from a business hub at the moment, that looks pretty easy. As soon as you want to expand and actually employ people and help the economy by employing more people, many legislative disadvantages will be placed in front of you. This government really needs to look further and work harder in this area. I am very confident that, should we be so fortunate as to have a Liberal government in 2018, we will be very competent at fixing it.

I have thousands of ideas, as do my colleagues, about how we could do things a lot better in this state. Let's bring us back to being in the top three for 100 companies. Let's bring us back to being in the top three in population. I remember the eighties. I remember what this state can be like. I am extremely disappointed with what this Labor government has done to the state I love, and every

day I wake up knowing that one day I will have the opportunity to get this state back to how it used to be.

The DEPUTY SPEAKER: I remember the eighties, too.

Mr TARZIA (Hartley) (12:52): I thank speakers for their contributions and commend this motion to the house.

The house divided on the motion:

Ayes 16
Noes 20
Majority 4

AYES

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

NOES

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

PAIRS

Knoll, S.K.	Picton, C.J.	Marshall, S.S.
Weatherill, J.W.	McFetridge, D.	Koutsantonis, A.
Pisoni, D.G.	Hamilton-Smith, M.L.J.	Williams, M.R.
Gee, J.P.		

Motion thus negated.

Sitting suspended from 12:58 to 14:02.

Bills

STATUTES AMENDMENT (BUDGET 2016) BILL

Message from Governor

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

The SPEAKER: The member for Morialta's interjecting and talking aloud during the procession of the mace is disorderly.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Minister for Higher Education and Skills (Hon. S. E. Close)—

Flinders University—Annual Report 2015
University of South Australia—Annual Review 2015

Parliamentary Committees

PUBLIC WORKS COMMITTEE

Ms DIGANCE (Elder) (14:04): I bring up the 548th report of the committee, entitled Kangaroo Island Airport Upgrade.

Report received and ordered to be published.

Ms DIGANCE: I bring up the 549th report of the committee, entitled Upgrade of Main South Road between Old Coach Road and Malpas Road, Aldinga.

Report received and ordered to be published.

Question Time

CHEMOTHERAPY TREATMENT ERROR

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:05): My question is to the Minister for Health. Why did the minister tell the public in August 2015 that none of the 10 victims of the chemotherapy dosing errors had died, when Johanna Pinxteren was already dead?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:05): I'm not going to add any more to what I said to the chamber yesterday. The Leader of the Opposition knows full well why I won't engage him on this with regard—

Members interjecting:

The Hon. J.J. SNELLING: The opposition know very well the reasons that I will not—

Members interjecting:

The Hon. J.J. SNELLING: I would be very quiet about this issue. The opposition know very well the reasons why I will not engage them with regard to this particular patient. I will not engage in the details of this particular patient, and the opposition fully know well why I won't.

The SPEAKER: I call to order the leader, the deputy leader, the members for Hartley, Unley, Goyder, Mitchell, Colton, Chaffey and the Minister for Agriculture. I warn the leader and the member for Unley and the deputy, and I warn for the second and the final time the member for Unley and the deputy leader. Member for Little Para.

HOUSING DEVELOPMENT

Mr ODENWALDER (Little Para) (14:07): My question is to the Minister for Planning. Can the minister update the house on what the government is doing to increase quality housing choice in South Australia?

Mr Pengilly: Chairman Rau.

The SPEAKER: The member for Finniss is warned. I notice that the member for Hartley has been called to order and warned in an earlier session of the parliament; therefore, he is on his final warning. Chairman Rau.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (14:07): Thank you, Mr Speaker. Can I say, Mr Speaker, I simply advise you in waking a tiger to use a long stick. Our state's planning system has been undergoing an extensive process of reform. With the Planning, Development and Infrastructure Act, we are now in the implementation phase of these important reforms. This involves the environment and food production areas and the elevation of design, through the introduction of design principles, and recognition of the add-value role that design review plays.

There are two key areas of reforms introduced through the Planning, Development and Infrastructure Act that will help increase quality housing choices in South Australia. Currently, approximately 28 per cent of our households in South Australia are single-person households and 34 per cent are two-person households. By contrast, however, 51 per cent of our housing in South Australia is three-bedroom homes. We currently lack the housing choice to meet demand.

Mr Griffiths interjecting:

The Hon. J.R. RAU: It's coming very soon. It's going to be good. In this context, the environment and food production areas prioritise our vital food bowl, environmental resources and unique landscapes over unwarranted urban sprawl and thereby guide our future urban form, and it encourages new development within our inner and middle suburbs—

Members interjecting:

The Hon. J.R. RAU: —where the majority of South Australians prefer to live, conveniently located near more jobs, services and amenities, and which costs substantially less to taxpayers in terms of infrastructure provision.

A better focus on design is also crucial in how we achieve better development, and that is why we continue to take steps to embed principles of good design in the planning process. Led at higher levels, state planning policies, in particular a design quality policy, will ensure good design is at the forefront of planning decisions and will be embedded by higher density design guidelines developed by the Office for Design and Architecture and the South Australian Government Architect. I also expect to be consulting on those guidelines, along with the update to our 30-Year Plan, in coming months.

The guidelines will showcase how medium and higher density urban development can help create desirable neighbourhoods and streetscapes, particularly in respect of the interface between development and our local heritage and character areas. These reforms help frame the way we want Adelaide to grow in the future and respond to opportunities presented by our ageing population, changing household sizes and composition, and ensuring we improve our competitiveness as an attractive place for people to live and work.

The SPEAKER: I call to order the members for Morialta and Hammond, and I warn for the first time the members for Chaffey and Goyder. I alert the member for Mitchell that, owing to warnings before lunch, he is on his final warning. The member for Colton is also on a warning, upgraded from a call to order.

Mr Marshall interjecting:

The SPEAKER: It will make not the slightest difference. Leader.

CHEMOTHERAPY TREATMENT ERROR

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:11): My question is to the Minister for Health. Was the failure of SA Health to advise the family of Johanna Pinxteren that she was a victim of the chemotherapy dosing error the cover-up that the Premier has previously referred to?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:11): I completely reject and unequivocally refute that assertion.

Mr Marshall interjecting:

The SPEAKER: The leader is warned for the second and final time. It would be a pity if he were not here during the budget speech.

Mr Marshall: This is a very important issue, sir, that we are not getting any answers on.

The SPEAKER: It's not so important that you can breach standing orders. The member for Torrens.

OAKDEN AMBULANCE STATION

Ms WORTLEY (Torrens) (14:12): My question is to the Minister for Health. What update can you provide on the new Oakden ambulance station?

Members interjecting:

The SPEAKER: The leader's trying to weigh obedience with standing orders with the life or death of a person will lead to his being named if he continues down that path.

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:12): I thank the member for Torrens for this question and take the opportunity to note her dedication to improving ambulance services for the growing electorate of Torrens. On 19 June, I was joined by the member for Torrens to officially open the brand-new ambulance station at Fosters Road, Oakden.

The event was attended by senior officials from SA Ambulance, fire service and police, as well as SA Ambulance staff and members of the community keen to see this fantastic new station. The Oakden station is part of the Labor government's 2014 election commitment to build three ambulance stations in the growing areas of Oakden, Seaford and Noarlunga. I am pleased to report that the Noarlunga station is fast reaching completion, while the design stage of the Seaford station is well advanced after taking a little longer to find a suitable site. Members will know the background to that.

The new Oakden station features a five-bay, drive-through garage, backup generator and staff facilities, including state-of-the-art training facilities and open-air offices. The station began operating in April with a day shift and an afternoon shift and, in great news for the north-eastern community, I can report that on 2 July the Oakden station began operating 24/7 with eight dedicated paramedics on the shift roster. This enables people in the suburbs of Oakden, Northgate, Hillcrest, Greenacres, Windsor Gardens and Lightsview to be seen sooner in an emergency, whatever time of night or day.

This \$3.6 million investment once again shows the commitment of the government to ensuring all South Australians have access to a well-resourced and responsive ambulance service. The new Oakden station will complement the government's significant investment into our state's ambulance service through Transforming Health.

The state government is dedicated to delivering the best possible health care to the community but, of course, this couldn't be achieved without the hard work of our dedicated paramedics and support staff. I put on record my thanks to all the staff of SA Ambulance Service, from those who take the calls and coordinate resources to our frontline paramedics who provide lifesaving treatment to our friends and loved ones every day.

An honourable member: Including volunteers.

The Hon. J.J. SNELLING: Including volunteers.

CHEMOTHERAPY TREATMENT ERROR

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:15): To the Minister for Health: was Johanna Pinxteren informed that she was a victim of the chemotherapy dosing bungle before she died in June 2015?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:15): It is not going to be my intention to provide a running commentary on matters that are raised in the Coroner's Court; however, I will make an exception on this occasion and answer, yes.

Mr MARSHALL: Supplementary, sir?

The SPEAKER: Member for Elder.

ANZAC CENTENARY MEMORIAL WALK

Ms DIGANCE (Elder) (14:15): My question is to the Minister for Veterans' Affairs. Can the minister inform the house on the number of people who have visited the ANZAC Centenary Memorial Walk?

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) (14:15): I thank the member for Elder for her question. She is very committed to veterans' issues. As members of the house are aware, on Saturday 23 April the Premier and I, along with the Governor, the Hon. Hieu Van Le, opened the ANZAC Centenary Memorial Walk in Kintore Avenue. This walk was the preferred project of the Veterans Advisory Council to commemorate the centenary of ANZAC.

Since this date, in a little over two months, more than an estimated 30,000 people have visited the memorial walk, whether they were on their way to work, school or university, or paid a special visit just to view the walk, which is an increasing trend. This is exclusive of the 18,000 who walked down the walk the weekend of both the Port Adelaide versus Geelong game and those who attended the ANZAC dawn service. All of these people have been reminded of the courage and sacrifice of our service men and women, past and present.

If we compare the number of people who previously would have walked along Kintore Avenue in its former state, we would have been lucky to see more than 3,000. This memorial will stand as a lasting tribute to our ANZAC tradition. In creating such a memorial, we will ensure that the ANZAC legacy is protected and that we exercise our duty of responsibility towards past, present and future generations of brave men and women who make the sacrifices they do to preserve the way of life we enjoy today.

Later this month, the shadow minister for veterans and I, along with the Governor of South Australia, will attend the 100th commemoration of the Battle of Fromelles—that bloodiest of grounds for Australian and South Australian young men. It's worth remembering at this particular time in this particular sitting week that, in this week exactly 100 years ago, thousands of our fellow Australians were moving into the line at Fromelles and Pozières on the western front for the opening of those engagements. Shortly thereafter, the worst of all possible news was delivered to households across this state, from Ceduna to Mount Gambier, from the Far North to the Fleurieu, and across suburbs all through the city of Adelaide—the most horrible of news for any mother, any set of parents, or for any family—and it was news delivered by the thousands.

On 14 July, the French government has determined that Australia will lead the Bastille Day march down the Champs-Élysées in recognition of that sacrifice. It is a great honour for the French government to have made that gesture, and at the front of the march will be representatives of the South Australian battalions at Fromelles and at Pozières.

CHEMOTHERAPY TREATMENT ERROR

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:18): My question is to the Minister for Health. If Johanna Pinxteren was informed before her death in June 2015, why did the minister claim in August 2015 that no-one had died? When did the minister first become aware that Johanna Pinxteren had died as a result of the chemotherapy dosing bungle?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:19): I don't normally get informed about individual patients or their patient records or what's going on with individual patients, so I wouldn't expect to.

Mr Marshall: You stated nobody had died.

The SPEAKER: The leader is on two warnings.

Members interjecting:

The SPEAKER: And I call to order the members for Stuart and Morphet.

TORRENS JUNCTION UPGRADE

The Hon. P. CAICA (Colton) (14:19): My question is to the Minister for Transport and Infrastructure. Could the minister update the house on the progress of the Torrens Junction Upgrade Project?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:19): I thank the member for Colton for his question. I know that he is interested in this project and I suspect you may be as well, Mr Speaker, given the benefits the project will deliver to people in your electorate.

The SPEAKER: Yes.

The Hon. S.C. MULLIGHAN: I am pleased to announce that, with the federal and state government commitment to the Torrens Junction project, tomorrow the Department of Planning, Transport and Infrastructure will be calling an expressions of interest process for the delivery of the upgrade project. This project, which is part of the Torrens and Goodwood junctions upgrade projects, will deliver significant benefits for the national rail freight network as well as benefits for traffic flows for Adelaide motorists on a number of major arterial roads.

As many members would be aware, the first part of this project has already been delivered. The Goodwood Junction Upgrade Project was delivered towards the second half of 2013, and it delivered a grade separation between the passenger and freight rail lines at the south of the city. As many would be aware, currently the rail freight line at the north of the city crosses over the passenger rail lines which causes the necessity for the freight trains to give way to the passenger trains. This slows down freight quite considerably and it leads to significant delays on part of the inner city ring route at Park Terrace.

Along with the first part of the project which delivered the grade separation at the Goodwood Junction, of course other parts of the rail network were also improved, including the delivery of the brand new Adelaide Showground Station which was delivered in 2014 and caters to over 100,000 passengers each year, particularly during the Royal Adelaide Show. On the Torrens Junction element of the upgrade project, this \$247 million project will mean a rail underpass is created at Park Terrace outside the current Bowden redevelopment.

The separation of the interstate freight train movements from the passenger rail movements will mean a significant increase in productivity for the rail freight network. As I mentioned earlier, currently those freight trains are required to give way to the passenger trains, and their not having to suffer this conflict and give way in that same way will mean that the freight movements will move quicker, but it will also mean that the length of the freight trains can also be increased from 1,500 metres to 1,800 metres. This is nearly a 20 per cent increase in freight capacity for the freight network.

Further, removing this rail crossing from Park Terrace will mean a significant reduction in delays for 50,000 vehicles using Park Terrace, not just when the Outer Harbor passenger train movements cause the boom gates to come down. But of course, as those of us who live in the north-western suburbs would also be aware, there are significant delays experienced at the Torrens Road rail crossing. When the freight trains are forced to give way to these passenger trains, they have to slow almost to walking pace which delays them coming through that Torrens Road junction. At times, it can take in excess of six minutes while these boom gates are down, delaying up to 25,000 vehicles on Torrens Road each day.

I am pleased to say that the project is not just about rail freight and improvements for motorists; it is also about delivering a new pedestrian cycling overpass at Goodwood to complete the popular Mike Turtur Bikeway, as well as level crossing safety improvements at Leader Street.

TORRENS JUNCTION UPGRADE

The SPEAKER (14:24): Minister, will there need to be a new Bowden Station?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:24): Indeed, Mr Speaker, there will.

CHEMOTHERAPY TREATMENT ERROR

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:24): My question is to the Minister for Health. Given that the Coroner's Court has been informed this morning that Mrs Pinxteren was not informed of the chemotherapy dosing bungle prior to her death, with medical records providing evidence of that, can the minister explain to the house what evidence he has that Mrs Pinxteren was informed, and will he table that evidence?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:24): I am not at liberty to go into how I know, but I can say that it is documented unequivocally that this patient was informed of the underdosing.

The SPEAKER: I neglected to warn the member for Morialta for the first time on account of a previous interjection. The member for Ashford.

MADE IN ADELAIDE SHOWCASE

The Hon. S.W. KEY (Ashford) (14:25): My question is directed to the Minister for Arts.

Mr Gardner: I think you missed a few from them, too.

The SPEAKER: The member for Morialta will not dispute the Chair's ruling. He is warned for a second and a final time, and probably should have been named. Member for Ashford.

The Hon. S.W. KEY: My question is directed to the Minister for Arts. Minister, how is South Australia promoting itself during the Edinburgh Fringe and festival season?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:25): I thank the member for Ashford for her continuing interest in our cultural sector. When we look around the world at different festival cities, the connection between Adelaide and Edinburgh is one of the strongest, with comparisons in the way we cluster our festivals: in Edinburgh in August and, of course, in Adelaide through our February-March festival season.

Next month, some of South Australia's best artists, venue producers and festival organisers will be descending on Edinburgh as we launch our first ever Made in Adelaide showcase, which will promote the state's arts and cultural offerings and drive cultural tourism. As well as artists, the delegations will include six home companies—Slingsby, Patch, Brink, Australian Dance Theatre, State Theatre and Windmill—and six producers and presenters: Holden Street Theatres, Gluttony, German Club, The Social Creative (the team behind the Royal Croquet Club), Tuxedo Cat and Arts Projects Australia.

Many of these groups have had a presence in Edinburgh in the past; however, this will be the first time we bring them all together under one coordinated banner promoting our state. The home base for Made in Adelaide will be Summerhall, a hugely popular Fringe hub in its own right, which will host a performance space as well as a branded bar, which will showcase some of South Australia's premium food and wine, and meeting spaces for artists, producers and the general public.

The live music elements of Made in Adelaide showcase the diversity of some of South Australia's most promising popular contemporary musicians, including: Tkay Maidza, who will perform on the back of her recent nomination at the BET Awards in Los Angeles; extraordinary multi-instrumentalist and composer Adam Page; as well as electronic pop duo Electric Fields, featuring Zaachariaha Fielding, one of our most promising young Aboriginal artists. These popular contemporary musicians present the diversity of music made in Adelaide and demonstrate just part of the reason why Adelaide is a UNESCO City of Music.

Arts South Australia will meet with other UNESCO Creative Cities while abroad, including Glasgow, City of Music, and Edinburgh, which is a UNESCO City of Literature, creating new networks for our artists and industry to leverage. Made in Adelaide has as its ambassadors the amazing Ali McGregor who, along with Eddie Perfect, just wrapped up as artist director of the most successful Adelaide Cabaret Festival to date, and the irrepressible German-born, Adelaide-based piano accordion-wielding Hans, who is sure to spruik Adelaide far and wide.

The Hon. L.W.K. Bignell: He's not German. He's Adelaide born.

The SPEAKER: He is a constituent of mine.

The Hon. J.J. SNELLING: Excellent. Made in Adelaide is an incredible opportunity for all our artists, venues, festivals and producers. I wish them all the best as they represent our state at this important event.

CHEMOTHERAPY TREATMENT ERROR

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:28): My question is to the Attorney-General. Is the Attorney-General aware of if the Crown Solicitor's Office has had a request for advice from SA Health as to whether they have broken the law in failing to disclose the death of Johanna Pinxteren to the Coroner?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (14:28): I am not aware as to whether the summary of the alleged facts is correct, nor whether, if indeed it is correct, it was based in any way on fact that such a request has been made of the Crown, but I can inquire.

GREYHOUND RACING

Mr ODENWALDER (Little Para) (14:29): My question is to the Minister for Racing. Minister, what is the government's response to the announcement today that the commercial greyhound racing industry is being banned in New South Wales?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (14:29): I thank the member for Little Para for the question. Mike Baird, the New South Wales Premier, has today announced the banning of greyhound racing in that state from July next year. He has based that on a report commissioned by the New South Wales government. It followed a pretty horrendous showing of some really bad things that were happening in New South Wales and Queensland in the greyhound racing industry last year or the year before, and they were very disturbing images.

At that stage, we went out and asked the South Australian public to please come forward and report to the police, the RSPCA, the government or any other authority anything that may be untoward in greyhound racing in South Australia. We can never be 100 per cent certain that there is nothing happening here, but from all the discussions we have had, and from the knowledge that I have as a former owner of greyhounds dating back to the 1980s, we do not think that sort of thing is happening here.

In fact, I want to congratulate Greyhound Racing SA on the exemplary way in which they have modernised racing in South Australia. They originally set a target for 2020 to have zero deaths in the greyhound racing industry, which has now been brought forward to 2018, which is just two years away. They are doing things like limiting the breeding of greyhounds for racing. While New South Wales has thousands of dogs being put down each year because they were not good enough to make it to the track or be competitive on the track, South Australia breeds less than 10 per cent of the number of dogs than in New South Wales.

We also have a wonderful rehoming program. The government is proud to have worked with Greyhound Racing SA over the years in our prisons to have prisoners retrain the greyhounds that have been bred to race, and to re-educate them and make them ideal pets for people of all ages. They are wonderful pets, and it has been terrific to see the increased number of greyhounds who are going through this process and finding wonderful homes. Instead of being killed because they were no longer suitable for racing, they are finding a new purpose in life and bringing joy to people in nursing homes and in private residences right around South Australia.

I contacted my Victorian counterpart, Minister for Racing Martin Pakula, and he said Victoria has no intention of following the New South Wales lead either. I understand that Queensland will also not follow New South Wales' lead. I spoke with Michael Fabbro from Greyhound Racing SA. We are going to have to be careful in the next 12 to 18 months, as New South Wales moves to get rid of

the greyhound racing industry, that we do not get the bad apples from New South Wales coming into South Australia.

The report handed to the New South Wales government showed that 20 per cent of trainers and dog owners in New South Wales still thought it was acceptable to use live baiting to train their greyhounds to go out onto the racetrack. That has not been accepted as a good thing to do in South Australia for decades. As I said, we cannot be 100 per cent sure, but the anecdotal evidence we have following the calls that we have put out for people to come forward with evidence of others doing the wrong thing in South Australia has so far shown up with zero.

This industry is worth \$50 million to South Australia's economy each year. It employs hundreds of people right throughout South Australia. It is a form of racing that is accessible to all South Australians. As a government, we stand by Greyhound Racing SA and those people who participate in it, and we will continue to work with them for the good of the sport.

KEOGH CASE

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:33): My question is to the Attorney-General. Has the Attorney-General ascertained why the report dated 22 November 2004 of Professor Vernon-Roberts was not disclosed to Henry Keogh's legal representatives for nearly 10 years, and if so, is he now able to inform the house of that explanation?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (14:33): If I am not mistaken, I think we have been down this track many, many times before. In fact, I seem to recall a series of questions about this going back over some months. My recollection of what I said there is to the effect that the decision, such as it was, if it was indeed a conscious decision, was a decision of a former solicitor-general. I am not aware of what was going through the mind of that individual at the time—

Ms Chapman: You haven't had an inquiry.

The SPEAKER: The deputy leader is on two warnings.

The Hon. J.R. RAU: —and I still don't know what was going through the mind of the then solicitor-general at that time. I think we are presented with certain facts. I'm always careful when the deputy leader asserts a fact, but let's assume for the purposes of my answer that it is a fact. The facts are whatever the facts are. As for what somebody was thinking at that time, I don't know.

STEM EDUCATION

Ms DIGANCE (Elder) (14:35): My question is to the Minister for Education and Child Development. Minister, can you provide details to the house on unique learning opportunities for South Australian students in the aeronautics and aerospace industries?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:35): I am very pleased to speak about this. By way of introduction, I think we would all be powerfully persuaded that we need more of our kids to study more STEM subjects. We know that that is the future and we know that the people who are particularly adept at STEM subjects ought to be doing the most difficult ones possible and that every child (and, in fact, every adult) ought to be more numerate and more scientifically literate, if at all possible.

Of course, there are many features to making that easier for kids and one of them is to have the right kind of infrastructure. It is about the right kind of teaching, but it is also about putting before them something that excites the imagination, that engages the children, particularly as they transition into high school, which is the danger period in terms of engagement with STEM subjects. One of those ways is to look at space, at aeronautics, because it is one of the areas that students—and some of us are still science nerds—and particularly younger people are extremely interested and excited about. A number of our schools have been using that interest not only to encourage them to understand more about aeronautics, which is a legitimate future industry and a current industry, but also therefore to engage them more deeply in STEM.

For example, Hamilton Secondary College has established strong partnerships with NASA and the European Space Agency, with astronauts or cosmonauts visiting the school every year to motivate and inspire their students. Hamilton is building on this existing focus and is currently in the process of re-creating—it says here 'life on Mars', but at present we are not aware that there is any life on Mars—the experience of being on Mars, with a \$200,000 planetarium designed to deliver an extraterrestrial experience for students and to be the cornerstone of the school's innovative STEM program.

An integral part of the project will be an outreach program as part of the Marion Inland Partnership which is for primary school age children from metropolitan and regional South Australia to participate in the Mission to Mars activities and camps. Students will play a role in space practices, which includes mission briefings, flight control and simulated space exploration on the surface of Mars, as it has been reconstructed.

The planetarium will provide an exciting experience for students, who will be able to communicate with astronauts in real time and use the very latest software. The space dome landscape at Hamilton Secondary College is expected to be completed over the next year and will comprise three main components: the Mars surface, the mission control room and a briefing room. The space dome planetarium will be complete with red dirt reminiscent of that which we understand to be on Mars.

On the theme of space—and this is extremely pleasing—four Aboriginal South Australian students will experience what I imagine will be an experience of a lifetime to go for a week-long immersion trip to an American space camp. These four students, Piper Harvey and Ashley Tong from Woodville High and Tyson Evans and Kiara Tilmouth-Presley from Playford International, will be flying out to the US later this month.

An honourable member interjecting:

The Hon. S.E. CLOSE: No, they're not going to Jupiter, but they are going to the USA to a space camp.

The Hon. S.C. Mullighan interjecting:

The Hon. S.E. CLOSE: And, yes, it will take off, member for Lee. The involvement of these young Aboriginal people is about building interest in STEM, interest in positive learning dispositions and, not least, giving them an extraordinary experience and insight into aeronautics which may well form a part of their future. Two teachers will be accompanying those students in order to develop further skills and understanding about conveying the importance of STEM in general and aeronautics in particular to other students. The opportunity has been supported by Northrop Grumman, a global aerospace and defence technology company that is providing scholarships to the students, and I thank them for that.

The SPEAKER: The minister's time has, alas, expired. The deputy leader.

PRISONER SUPPORT AND TREATMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:39): My question is to the Minister for Mental Health. Will the minister explain why she has authorised, pursuant to section 269V of the Criminal Law Consolidation Act, the placing of 15 mental health patients in South Australian prisons, including the 35 year old in the women's prison referred to in question time yesterday? What action is she taking to remedy this situation, other than sitting in cabinet and agreeing to more prison space being built?

The SPEAKER: The last part of the question was disorderly. Minister.

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:40): The government makes an effort to ensure all people in care are accommodated in the appropriate settings, and the placement of forensic clients is determined on the advice of the relevant treating clinicians.

Mr van Holst Pellekaan interjecting:

The SPEAKER: The member for Stuart is warned. The member for Giles.

REGIONS IN FOCUS ROADSHOWS

Mr HUGHES (Giles) (14:40): My question is to the Minister for Regional Development.

Ms Chapman interjecting:

The SPEAKER: The deputy leader is reminded for the third time that she is on two warnings.

Mr HUGHES: My question is to the Minister for Regional Development. Can the minister inform the house about how he is working with regional communities to identify and progress their priorities for regional development?

The Hon. G.G. BROCK (Frome—Minister for Regional Development, Minister for Local Government) (14:41): I thank the Member for Giles for his question. I am pleased to inform the house that I am travelling around the regions over the next two months for a second round of Regions in Focus roadshows. The first round was in July and August last year, and I have visited all seven non-metropolitan regions.

The purpose of this first round was to identify the opportunities and challenges that are of the greatest importance to each regional community, as well as to identify the shared priorities that they each share. Together with each regional development association, I sat down with regional leaders to explore which regional priorities needed some input from government agencies to accelerate progress. Participants were all local champions from local government, business and industry associations. I would like to take this opportunity to thank the many, many community members who contributed their valuable time to the roadshows last year.

Over the last year, Regions SA has been working very hard with the seven regional development associations, the roadshow participants, other stakeholders and across state government agencies to progress the top three issues identified by each region and the top two issues across the state. I am committed to returning to each region to report back on the progress made and to identify any steps forward. I am pleased to report that I started the second series of roadshows last week in the Barossa Valley and also in the Riverland. Again, the reception out there has been fantastic. One industry participant wrote to me after the Barossa roadshow to say, and I quote:

Hi Geoff,

Just a quick note to say thanks for today.

I said to Trevor that it's wonderful to see some follow up done from last year's work. Too often we see governments seeking opinion to satisfy 'consultation' and never follow up and report back.

You should feel proud to be making a difference and I look forward to future follow up forums like this from you. [and the government]

We all know how important our regions are to South Australia, and I want to keep creating opportunities that will allow them to grow and prosper but, as I have said before, this cannot be done in isolation. I have said from the outset that collaboration is the key for all of us to build on the great assets of our regions, to create new opportunities and work through our challenges. No single group or sector can bring about profound change on its own.

We need to be bold and creative. We need to work together. The involvement of local government and businesses is essential in ensuring that regional communities take full advantage of the opportunities available in their regions. Local government, in particular, has a critical role to play in regional economic development opportunities. These Regions in Focus roadshows have been a great chance to focus on how that collaboration can be achieved. The Regions in Focus initiative is not about adding yet another plan to sit on the shelf; this initiative is about active engagement.

The roadshows are another opportunity for the state government to genuinely engage with regional communities, listen to their concerns and aspirations, and consider targeted action that is both practical and responsive. I look forward to undertaking the remaining roadshows over the next month, to listening and learning from local leaders, to continuing our active progress on the priorities that are important to each region, and moving forward in the next week.

MENTAL HEALTH SERVICES

Mr BELL (Mount Gambier) (14:45): My question is to the Minister for Mental Health and Substance Abuse. Has the minister undertaken any modelling to look at the impact that the closure of 10 mental health beds will have on the Mount Gambier Hospital and the treatment that that hospital will now have to provide to mental health patients?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:45): SA Health and my team continue to look at the best balance of beds and provision of mental health services across the state.

BUNDALEER FOREST

The Hon. A. PICCOLO (Light) (14:45): My question is to the Minister for Forests. Can the minister update the house on the progress of the replanting of 150 hectares of the Bundaleer Forest?

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) (14:46): I thank the member for Light for the question. As everyone in this house would know, about 80 per cent of ForestrySA's Mid North commercial plantation estate was destroyed by the bushfires at Bundaleer and Wirrabara in 2013 and 2014. In 2014, we undertook to replant 150 hectares of pine forest in the Bundaleer Forest.

Unfortunately, as so often happens up there, the weather conspired against us. There was not enough rainfall in winter last year to be able to plant the pines in time, so only 60 hectares of the replant could be completed. But following good winter rains this year, crews have now been able to finish planting a total of more than 200,000 trees. I also want to report to the house that the well-known Mid North native forest locations, including The Range and Spaniards Gully, are now open to visitors once again. I am sure that is welcome news to people in the local area and also visitors to that wonderful part of the world.

Unfortunately, I do not have any specific news, but I would like to just update the house on the proposals for what these two very important areas of the Mid North may look like when the future use is determined. I have been a little frustrated, and I know the member for Stuart has been frustrated and the member for Frome as well, who have been great advocates for their local area, that we have not been able to get some more definitive decisions on what the future will look like. What we really want to make sure is that we retain the number of jobs that we have got there and, where possible, we grow the number of jobs that we have in the local area.

I sat down with the public officials who have been working through this. It has been an intergovernmental approach, so we have people in there who are looking at the tourism side of things and the environment side of things, as well as, of course, the forestry side of things and primary industries. They have all been looking at these 30 different proposals. I guess the easy way and the quick way we could have done was to have said, 'These five proposals, they tick the boxes, we are going to go with them,' but what they have done is try to overlay them in different ways.

While we may have one proposal which is for a big slab, we also have proposals for smaller land uses there which could deliver a higher value and perhaps more jobs, or perhaps even a greater community benefit. What they are doing now is working through that process. It's basically a bit like a Rubik's Cube: whichever way you want to reshape it and look at it, you can come up with a different outcome. I am grateful to have been able to sit down with those public officials and look at the 32 proposals that are there. Of course, there are all these commercial-in-confidence things around it as well.

Mr van Holst Pellekaan: When are you going to finish it?

The Hon. L.W.K. BIGNELL: They want to have it by the end of this year. I have asked them—

Mr van Holst Pellekaan interjecting:

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

The Hon. L.W.K. BIGNELL: We could have done a dirty, quick outcome for this—

Members interjecting:

The Hon. L.W.K. BIGNELL: No—and it wouldn't have delivered the very best outcome for the people in your local area, member for Stuart.

Mr van Holst Pellekaan interjecting:

The SPEAKER: I remind the member for Stuart for the second time that he's on two warnings.

The Hon. L.W.K. BIGNELL: So, you can come and have a really quick answer and let the problem go away, but we only get one chance at this and we want to make sure that we come up with the very best result. When I spoke to the public officials they were saying, 'Can you give us until the end of the year?' I've asked them to come back by the end of September. They have to go out and they have to talk—there are 32 different applications in, and it's going to be some sort of blend of a whole lot of different ones to come up with the very best result.

Member for Stuart, I can assure you I'm frustrated that it's taken this long. I would have liked it to have been a lot quicker; but having sat down with these public officials, they are acting in good faith. They are working in the very best interests of the local people in your area and the member for Frome's area. I hope that we have a result that pleases you and the local community by the end of September.

Ms Sanderson interjecting:

The SPEAKER: Thank you to the member for Adelaide for pointing out that the minister's time had expired by tapping her glass. The member for Adelaide.

CHILD PROTECTION

Ms SANDERSON (Adelaide) (14:50): My question is to the Minister for Child Protection Reform. When did the government receive the child death and serious injury committee report on the house of horrors case, the recommendations of which were ultimately in the committee's 2014 annual report, and why did it take the Coroner's 2015 investigation into Chloe Valentine before these recommendations were acted upon?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (14:50): Mr Speaker, I'm not normally responsible for the operational aspects of this, but—

Ms Chapman interjecting:

The SPEAKER: I think for the fourth time I remind the deputy leader that she is on the maximum number of warnings.

An honourable member interjecting:

The Hon. J.R. RAU: That's terrific. The situation is that, inasmuch as we are dealing with operational matters, I will have to make inquiries. I'm not sure whether the facts as set out in the honourable member's questions are in fact accurate, but I will make the appropriate inquiries, and I will be happy to let her know what I discover.

MENTAL HEALTH SERVICES

Mr HUGHES (Giles) (14:51): My question is to the Minister for Mental Health and Substance Abuse. What are some of the latest mental health initiatives in our regions?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:52): I thank the member for his interest and concern in this area. Last week, I attended and spoke at the combined health advisory council conference. The conference was attended by the Minister for Health and the member for Fisher, who takes a keen interest in this area. It was a great opportunity to speak with advisory council members across the state and to learn about how mental health services in our rural areas are progressing.

In recent years, there have been significant improvements in access to mental health services across our state and for country people and in the awareness of mental health and the impact of mental health illness on individuals, families and the community as a whole across our state. A case of how we are enabling better access to mental health services to country residents is the example of the Digital Telehealth network.

This platform has brought clinical assessments and care to even our most remote areas of the state as well as to a range of other services and supports. In June 2015, Country Health SA opened its third integrated mental health inpatient unit at Mount Gambier. This additional service increased the range of mental health services available to the South-East of our state, with improved integration of community and inpatient mental health services.

The Mount Gambier inpatient unit was the third integrated mental health unit to open, with six-bed units operational in Whyalla, the Riverland and Mount Gambier. This has enabled a vital expansion of our countrywide acute mental health services, enabling consumers and carers to access services in a stepped-up model of care, which is closer to their homes and communities. Reducing travel to Adelaide is a very important part of this for the consumer to benefit and be allowed greater family support and carer involvement and support as they move back into the community on their wellness journey.

The state government recently committed \$8.5 million over four years to step in to restore mental health services in Whyalla. At a time when the commonwealth should have been increasing its outlay on mental health services across the state it instead cut vital services that make a real difference to people living with mental illness, and their families. I intend to visit the regions whenever I am able to. In fact, I am looking forward to going out to Port Lincoln, Ceduna and other locations very shortly. I intend to talk firsthand with rural communities about suicide prevention, mental health services and a vast array of things that our state is doing to support them in their local communities. Good mental health in our regions is a priority of this government—

Members interjecting:

The Hon. L.A. VLAHOS: —and the Weatherill government is proud of its journey of improvement in this over the years and the years ahead.

The SPEAKER: Before the member for Adelaide asks a question, I call to order the members for Schubert, Mount Gambier and Kavel. I warn for the first time the members for Chaffey, Goyder, Mount Gambier and Morphett, and I warn for the second and final time the members for Finnis, Mount Gambier and Chaffey. Member for Adelaide.

CHILD PROTECTION

Ms SANDERSON (Adelaide) (14:55): My question is to the Minister for Education and Child Development. Had the then chief executive of the Department for Education and Child Development, Tony Harrison, been made aware of the Rigney-Wilson case prior to the tragedy occurring at Hillier?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:55): I have no idea what case he was aware of and—

Mr Pisoni interjecting:

The SPEAKER: The member for Unley will withdraw from the chamber for an hour for breach of the sessional orders.

The honourable member for Unley having withdrawn from the chamber:

The SPEAKER: The member for Florey.

SOCCER FACILITIES

Ms BEDFORD (Florey) (14:56): My question is to the Minister for Recreation and Sport. Minister, how is the state government supporting the increased participation in football across the state?

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) (14:56): I would like to thank the member for Florey for her question and just quickly acknowledge the wonderful work she has done as the national patron for Australian calisthenics. It was terrific to be there yesterday at the opening of the National Calisthenic Championships at the Festival Centre, which will continue on through to Saturday. It's a tremendous boost to have 400 people coming in from around Australia to take part in these national championships—

Ms Bedford: And their families.

The Hon. L.W.K. BIGNELL: —and their families, exactly. Now, on to soccer. It was terrific to have lunch with Greg—

Mr Knoll interjecting:

The SPEAKER: The member for Schubert is warned.

The Hon. L.W.K. BIGNELL: It was terrific to have lunch with Greg Griffin today who is, of course, the chairman of Adelaide United—the reigning A-League premier plate and champion—to catch up on the news. He is catching up with all of his coaching staff tonight to plan out the season ahead. Let's hope it can be as successful as last season, although hopefully with a better start. I think, after not winning a game in the first eight matches, to then come home and beat the Western Sydney Wanderers at the remarkable Adelaide Oval was terrific.

I know Greg is very keen to take Adelaide United out to the regions as well. He feels very deeply about places like Port Pirie, Mount Gambier and Whyalla, and he is keen to get the team out there so they can receive the adulation of the entire state. What we know, through the success of the Matildas, the Socceroos and Adelaide United, is that soccer is seeing some unprecedented growth in South Australia. Tens of thousands of people—I think it's 40,000 people—are registered as soccer players here in South Australia, and one of the problems they have is actually being able to get out on the pitch and play.

So in the budget the Treasurer is about to deliver this afternoon there is going to be \$10 million there for artificial pitches. The Modbury Jets are about to receive \$500,000, and that is in the member for Florey's electorate. The Modbury Jets will receive \$500,000 for a new artificial pitch as well as some new fencing. What we know about the artificial pitches is you can get three times the use out of them as you can with natural grass, so the same surface area can be used three times more than the natural grass. In the wet sort of winter that we are having at the moment, with the wettest July day in 73 years earlier this week, we need to make sure that we provide every facility we can.

The fastest growing sector in South Australian sport at the moment is women's soccer, and it's terrific to see that. Something else that's happening in the Treasurer's budget this afternoon will be \$10 million for women's change rooms so that women and girls, whether they are playing cricket, soccer, Australian rules, rugby or any sport, will be able to get out there and have the same sorts of facilities that the boys and the men have.

I think that is only right when 50 per cent of our population are women and they have been left behind for far too long. Well, after today and this Treasurer's great budget, no longer will the women and girls of South Australia be left behind. They will be treated in the same way as the men and the boys when it comes to sport, and that is the right thing to do. That is the decent thing to do, and it is the very least that these great sportswomen deserve. I want to congratulate the Treasurer on what is going to be an outstanding budget.

The SPEAKER: The minister will not anticipate debate on an Order of the Day.

The Hon. L.W.K. BIGNELL: No, okay. On announcements made so far in the lead-up to this budget, I would like to thank and congratulate the Treasurer for the sort of money that he is putting towards sport in this state.

Ms Chapman: He hasn't announced it yet.

The Hon. L.W.K. BIGNELL: We have announced \$22 million of the package so far and there is more to come. It is going to be the biggest sport budget in South Australia's history.

The SPEAKER: For the fifth time, I draw the deputy leader's attention to her being on two warnings.

SMALL BUSINESS SERVICES

Mr WHETSTONE (Chaffey) (15:00): My question is to the Minister for Regional Development. Minister, given the state government is opening its first-stop shop for small business in the Adelaide CBD, will the state government be opening the equivalent service anywhere in regional South Australia?

Members interjecting:

The SPEAKER: I warn the member for Schubert for the second and final time.

The Hon. G.G. BROCK (Frome—Minister for Regional Development, Minister for Local Government) (15:01): We already have as a state government one-stop shops across regional South Australia, but I don't have the total list here with me.

Ms Chapman interjecting:

The SPEAKER: The deputy leader will withdraw from the chamber for the next hour.

The Hon. G.G. BROCK: I will be happy to get that list for the member for Chaffey.

The member for Bragg having withdrawn from the chamber:

HEAVY VEHICLES

Mr TRELOAR (Flinders) (15:02): My question is to the Minister for Transport and Infrastructure. Can the minister advise the house why heavy vehicle registration fees for prime movers have increased more than 15 per cent while for dollies the registration fees have nearly doubled, as gazetted last week, and how these increases will possibly help the economy?

The Hon. L.W.K. Bignell: You've got three minutes. Bring it home.

The SPEAKER: The Minister for Sport is warned.

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:02): I thank the member for Flinders for his question on this. As most members would be aware, in recent years we have been moving towards a national framework of regulation for the heavy vehicle industry. Certainly, the first stage of that occurred some time ago with the establishment of the National Heavy Vehicle Regulator. Amongst its first tasks was to take over the task from state and local road agencies of issuing permits for particular types of vehicles.

Further tranches of the national heavy vehicle reform are to take over more regulatory responsibilities, eventually including the registration of heavy vehicles. But of course until we get to that stage, it is still up to state agencies to register heavy vehicles. One of the things that I have spoken to this house about before, and the Premier gave a speech to the National Press Club in November last year, is reforming our way of raising revenue from the heavy vehicle industry.

Unlike some people, or indeed just one person who has recently left the chamber, I don't favour tolls being imposed on the heavy vehicle industry. I favour a much more equitable and transparent regime for raising revenue from the heavy vehicle sector. That's where registration fees and the fuel excise which is currently levied on the heavy vehicle industry would be replaced with a road pricing charge, and that is work that has been underway in South Australia. It has been a great frustration to me that the National Transport Commission has taken on this task in years gone by—in fact, I think going back to 2006—and, despite this being strongly desired by road agencies around the country, has been unable to crack the nut of providing an effective, transparent, nationwide road pricing regime. However, as both the Premier and I have said publicly in this chamber, it is a task which we think is sufficiently important for us to bite this reform off.

We have started conducting road pricing trials here in South Australia, in fact, on two different routes: one route on the Dukes Highway from the South Australian-Victorian border down to the old tollgate at the bottom of the South Eastern Freeway, and another route along Port Wakefield Road to the container terminal at Outer Harbor. We are looking at what the cost requirements are for the upgrade of those roads and assessing that against the state-based registration and federal-based fuel excise charges raised from those roads.

In relation to the member for Flinders' question, there have been some changes when it comes to heavy vehicle registration costs. My understanding is that they are related to the transition of those regulatory requirements from the state to the federal government, but I will take on notice the detail that he raised and come back to the chamber with an answer.

Ministerial Statement

NAIDOC WEEK

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (15:06): I table a copy of a ministerial statement made by the Hon. Kyam Maher in another place.

Parliamentary Procedure

BUDGET PAPERS

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:06): I lay on the table the following 2016-17 budget papers:

Paper 1 Budget Overview
Paper 2 Budget Speech
Paper 3 Budget Statement
Paper 4 Agency Statements—Volume 1
Paper 4 Agency Statements—Volume 2
Paper 4 Agency Statements—Volume 3
Paper 4 Agency Statements—Volume 4
Paper 5 Budget Measures Statement

I move:

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

Motion carried.

Bills

APPROPRIATION BILL 2016

Introduction and First Reading

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:07): Obtained leave and introduced a bill for an act to for the appropriation of money from the Consolidated Account for the year ending 30 June 2017, and for other purposes. Read a first time.

Second Reading

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

That this bill be now read a second time.

The 2016-17 budget speaks to our values and our vision. Its ambition is to create jobs, develop future industries and ensure our children have the right skills for a transforming and modern economy. This budget will deliver unprecedented upgrades to our schools. It will incentivise South Australian small businesses to employ more people. It continues our record infrastructure spend and backs our entrepreneurs and our start-ups.

We were faced with difficult choices after the global financial crisis. Declining revenues meant we had a choice between austerity measures to maintain a budget surplus or continue our stimulus spending in the state's infrastructure. We did not chase revenues down. We did not slash and burn. We steadied the ship, cut our own cloth, but kept our economy growing. I can now report to the house our budget position is sound.

A surplus has been delivered: a surplus this financial year and more predicted each year across the forward estimates, an outcome our opponents said would never occur. This budget records the eighth surplus of this government, proving our responsible fiscal management of an economy that has grown for every year of our 14-year governance. This government has built these surpluses as a buffer against the headwinds that we know we face over the next 24 months, such as the impacts of Brexit, the instability we are witnessing at a commonwealth level and the uncertainty in our financial markets, with low commodity prices and a fluctuating Australian dollar.

As members know, the closure of Holden's Elizabeth factory is edging ever so closer, marking the end of decades of automotive manufacturing in this state and highlighting the importance of our transition to a high-tech modern economy. The end of automotive manufacturing is causing significant changes in our northern suburbs and across the state. We know this transition is not easy, but this side of the house will always stand by workers and by the industries that employ them. That is why we have invested \$24.2 million through our Northern Economic Plan to help thousands of workers who face very uncertain futures.

Further north, in Whyalla, we are supporting Australian steel, Australian jobs and Arrium with a \$50 million investment to upgrade infrastructure for a future buyer. We have also committed \$9.6 million in a support package for the supply chain businesses frozen out through the administration process. Arrium and Australian steel is the heartbeat of the state's third largest city. Were it to suffer a similar fate as Holden, it is hard to imagine the devastation that Whyalla as a community would suffer.

Over the past few months I have spent many days in Whyalla. I can only imagine what it is like for some of those families who, every night at the dinner table, wonder what their future holds for them. This is why it is critical we invest in the steelworks and do what we can to provide the new operators of the business with a firmer footing for a long-term sustainable future.

This budget is not only about protecting jobs, but it certainly also focuses on creating them. Last budget, we announced an unprecedented reform of state taxes, returning \$670 million to South Australian businesses—tax reforms that those opposite initially said would not work, and then they claimed were not happening quick enough. It is our tax reforms that have helped create nearly 6,000 more jobs in the state over the past 12 months by removing barriers that were preventing businesses from expanding, from reinvesting and from growing our economy.

This budget builds on the foundation of last year's reforms. We are offering South Australian businesses with taxable payrolls of \$5 million or less, incentives of \$10,000 for every person they employ in the next two years. Those with a payroll of \$600,000 or less that hire a new person over two years will receive support of \$4,000. Coupled with our extension of the payroll tax concessions for a further four years, any South Australian business hiring two extra workers over the next two years bringing them to a taxable payroll of just under \$1 million would benefit from almost \$40,000 in concessions and incentives.

Treasury estimate these grants will support 14,000 new jobs over the next two years. In the current economic climate, we need to do all we can as a government to address South Australia's unacceptable unemployment rate. This measure shows our willingness to partner with business that we know want to expand, employ more people and grow our economy. These measures, coupled with the return-to-work reforms that delivered \$180 million in savings per year to businesses, ensure that South Australia is the nation's best place to do business.

There are two other key initiatives in this budget which will create jobs, ensure our children get the best education possible and also build our future industries. The first is an unprecedented injection of \$500 million to upgrade the state's public and non-government schools to ensure our children have modern educational facilities to give them the best chance to secure the jobs of the future.

Having successfully convinced the commonwealth government to stick to its 2013 election commitment and build the future submarines here in South Australia, it is vitally important that we ensure our students in our primary schools and our high schools across the state have the skills to participate in what will be the biggest build this nation has ever seen. The construction and the maintenance of the submarines, frigates and offshore patrol boats will be undertaken in South Australia over the next 50 years.

We must, as a state, ensure that it is today's students who will be working on these projects. We cannot allow our children to miss out on this important work. That is why we are dedicating \$250 million to build new science, technology, engineering and maths facilities in 139 of our state's public schools. This will also create a stimulus in the construction sector for electricians, carpenters and plumbers who will be tasked with these upgrades.

Another \$250 million will be available through a loan scheme, at the government borrowing rate, to the state's non-government schools for investment in infrastructure upgrades. We know there are many schools in the private system that need to upgrade but cannot due to tight finances or restrictive loan conditions. These loans will be contingent on the schools using the money to upgrade or build new infrastructure that leads to better educational outcomes. Again, we want this work undertaken by South Australian contractors and tradies, providing hundreds of jobs in local stimulus.

To complement the upgrades of schools' learning facilities, the 2016-17 budget also invests \$10.6 million to modernise the South Australian Certificate of Education (SACE), including the transition from paper-based to online assessment of examinations. There is no distinction of class in these education measures—just the quality of classrooms. All of our children deserve the best education environment regardless of where their parents send them. These initiatives are designed to ensure that our students are given every opportunity to succeed and to prepare them for the jobs that will exist in a more modern economy.

Another important part of this year's budget is the \$135 million of initiatives to attract and create new industries. One of the key learnings from the McCreadie report was that, despite our state having a relatively high number of start-up businesses, there was a lack of integration and funding available for those looking to develop businesses out of their entrepreneurship. Our innovation support package backs South Australian start-ups by investing:

- \$10 million for the Early Commercialisation Fund, which will assist start-ups at the pre-seed and seed stage of development so they are better positioned to attract long-term investment;
- \$7.5 million for the University of South Australia's Future Industries Institute to encourage innovation, collaboration and new industry; and
- \$4.7 million towards the Gig City project to connect existing innovation spaces within the CBD to create an ultra high-speed broadband innovation network.

The key plank of this policy will be to introduce a \$50 million South Australian Venture Capital Fund, to partner with private sector financiers to support innovation and commercialise high-growth companies here in South Australia. This funding is significant and will foster our innovative culture, providing our young entrepreneurs with the support necessary not only to start up in South Australia, but to stay in South Australia.

Mr Speaker, these initiatives I have outlined are about three core things: creating a modern economy, ensuring our children have the skills for future industries and creating more jobs for South Australians. While these are the main pillars of our 2016-17 budget, there is far more we are also doing to grow our economy in key industries.

We will continue to invest in our growing tourism industry by extending funding for tourism, marketing and major events through to 2018-19 with an extra \$35 million, and we will provide \$2 million to Brand SA to undertake an awareness campaign to encourage consumers to identify and choose products that back and support South Australian jobs.

To support the construction sector, we have extended and expanded the off-the-plan stamp duty concession to cover all new apartments across the state. An estimated 800 apartment

purchasers will benefit from the stamp duty concessions, with a maximum of \$15,500 available to off-the-plan purchasers. I do want to make it clear, however, that this is the final year that this particular concession will be offered. If you want to take an apartment off the plan, this is the year to sign up for it.

We have also added an extra \$20 million to the Economic Investment Fund to continue to support attraction of business and industry. The Economic Investment Fund has already secured new businesses and jobs to South Australia, including ScreenAway, Orora Limited, Ingham Enterprises and now NEC.

We know that the future submarines and frigate programs will create thousands of jobs in the construction industry, but we must learn from our previous experience with the air warfare destroyer contracts and aggressively pursue the supply chain companies that flow on from such a large contract. That is why in this budget the government will extend the Industry Attraction Agency's role by investing a further \$6 million over three years to target and capture defence businesses we know will be needed to set up in Australia to support the future submarines and frigates project. We are also committing a further \$4 million to build on DCNS's successful tendering of the submarine contract and enhance our relationship with France.

There is no doubt that this government is an infrastructure government. It is in our DNA. Our capital program reflects continued record investment in transport, health and education. More than \$1.5 billion will be invested each year in building and upgrading key infrastructure as the government continues, as we promised, to keep building South Australia. This includes the expansion of our tram network with a \$50 million commitment to extend the line down North Terrace and along our cultural boulevard to the old Royal Adelaide Hospital site. Another step in our Integrated Transport and Land Use Plan, the North Terrace tram extension will deliver more patronage to our cultural institutions and reinvigorate the East End, connecting the east with the west.

The government is also committing \$48 million for a major mechanical upgrade and modernisation of 50 diesel railcars. This comes on top of our co-investment with the commonwealth in road and rail which is currently underway:

- \$985 million in the Northern Connector;
- \$896 million in the Torrens to Torrens upgrade;
- \$620 million in the north-south corridor Darlington upgrade; and
- \$358 million in the Goodwood and Torrens Junction rail separation.

Of course, our wholly state-funded projects, the \$153 million Salisbury line electrification and the \$160 million commitment to extend the O-Bahn into the city, are continuing. It is an impressive and exceptional investment in our state's road and rail infrastructure—the arteries of our economy.

Infrastructure spending is not false economy spending; it is an essential role and these projects will support nearly 6,000 jobs alone each and every year. To ensure that these projects use as much local content and employ as many local people as possible, this budget also increases funding to the office of the Industry Participation Advocate by \$1.4 million. The extra funding will allow the Advocate, who has been doing some outstanding work, to hire industry-specific managers to help lobby contractors and construction companies to put South Australian jobs and local content first.

Many in this chamber know that while I am not the most passionate supporter of the arts, I do see, however—

Members interjecting:

The Hon. A. KOUTSANTONIS: I know what I like! I do see the sector as a significant driver of economic activity in this state, and that is why we are committing more than \$65 million towards upgrades to theatres, to the arts and cultural programs aimed at supporting the government's vision of a vibrant state. This includes:

- \$35.2 million to redevelop Her Majesty's Theatre;
- \$15 million to ensure the state's cultural capital is maintained and improved;

- \$3.1 million towards further support for the OzAsia Festival; and, importantly,
- \$500,000 to develop a business case for a new contemporary gallery.

South Australian grassroots sporting clubs are also winners in this year's budget, with more than \$40 million committed to new and upgraded sporting facilities, including \$10 million to develop eight artificial pitches and upgrade soccer facilities—the greatest sport in the world—across the state and another \$10 million in grants to sporting clubs to provide facilities for female participation in sport. Our daughters, our sisters, our wives and our mothers deserve the same access to sporting facilities as the boys and the blokes.

Community safety and wellbeing is another government priority that this budget features significant investments in, including:

- \$56 million towards constructing 198 prison beds at Mobilong, Mount Gambier and Port Augusta prisons;
- an additional \$16.1 million to meet the government's commitment to recruit 313 additional police officers and maintain our position of having the highest police per capita of all states in the nation;
- a \$1.3 million national system for South Australia Police to share information on domestic violence orders within and across jurisdictions as part of the National Domestic Violence Order Scheme;
- \$4.5 million to further reform our justice sector by reducing the time it takes for serious criminal matters to come to trial;
- \$10.6 million for continuous screening assessments of people who work or volunteer with children;
- \$9.9 million for additional rehabilitation programs in prisons to ensure that prisoners have been able to complete the required rehabilitation programs prior to parole consideration; and
- \$16.2 million will fund the implementation of bushfire management strategies across the state, including additional fire management officers and up-to-date mapping information to enable better identification of hazards and faster times for response teams.

As we all know, next month Justice Nyland will hand the findings of the royal commission into South Australia's child protection system to the Governor on 5 August. The budget retains additional funding in contingency to respond to Justice Nyland's final recommendations. We will make those plans public once the final report has been contemplated.

In terms of wellbeing, we are investing \$90.7 million in additional funding to support the transition to the NDIS and provide additional disability services and \$44.4 million to improve Aboriginal health outcomes on the lands. There is nothing more integral to our community wellbeing than our health system. I was disappointed that both major parties failed to commit to overturning the disastrous 2014 Liberal budget cuts which slashed \$1.25 billion from South Australian hospitals over the next four years. These cuts are unsustainable and, despite the commonwealth agreeing to contribute an additional \$187 million over three years to 2019-20, this returns only 18 per cent of the original cut.

This has forced the state, once again, to step in and fund a further \$527 million from this budget across the next four years to plug a commonwealth health funding gap and to support ongoing reforms in the state's health system. Despite this extra state investment, with activity levels at our hospitals increasing by 3 per cent in the past year, there is still a significant hole in our health budget. The ongoing nature of commonwealth-state health funding partnerships is something that I hope the new commonwealth government grapples with as its first priority.

The government has also previously announced it will reform the solid waste levy, which will cut landfill, grow industry and create jobs. We agree with Steven Marshall. The metropolitan waste levy will be increasing to \$103 by 2019-20, with the additional \$63.6 million in revenue to fund a

number of initiatives, including: local government grants for waste infrastructure, investment and innovation sector programs; \$15.8 million for environmental assessment, compliance and remediation; and \$21.9 million for climate change initiatives. The state government is taking a leadership role in the global climate change commitment, signalling this with the establishment of Carbon Neutral Adelaide as a key node of the Australian arm of the highly successful European Union Climate Knowledge and Innovation Community.

This is a sound budget built on strong economic foundations that will help meet the challenges we know lie ahead. In that context, we have taken a decision to limit wage growth to a maximum of 1.5 per cent per annum over the next three years for each of our new enterprise agreements. The 1.5 per cent increase still provides a real wage increase over the previous and next enterprise agreements, and we believe that in the current economic climate, where there are many private sector workers being asked to take pay cuts, this target move is appropriate.

We are also introducing a place of consumption tax next year that will ensure online bookmakers who profit from South Australian gamblers pay their fair share of tax. We will be consulting over the next six months on this measure, which will increase funding to gambling rehabilitation programs in the same proportion as other state gambling taxes.

The government has been and remains committed to constraining the level of growth in expenditure to improve the structural position of our budget. Our prudent financial management, restrained spending, and incentives to grow the state's business sector will do much to address our unemployment issues. Mr Speaker, it is our government's belief that South Australia's best days are ahead of us, not behind us. Already, our capital city is listed as the fifth most liveable place in the world, according to *The Economist*, and as the best place in Australia to do business by KPMG.

We of course face challenges with the downturn in traditional manufacturing businesses and our unemployment rate that this government rightly regards as too high. However, we now have certainty and confidence in our economic future, with an unprecedented pipeline of naval construction projects to be built here in South Australia. We must ensure that that work is conducted by South Australians.

We have a state government that is cutting business taxes, partnering with growing businesses and providing support to them to hire more staff. We have a state budget that is back in the black and is building new productive infrastructure across our state, and we are training the next generation of South Australian high-tech workers by starting them on a path of science and technology at school today.

At its heart, this is a budget about jobs. We are pulling every lever available to the government to create new jobs because every extra job that is created in South Australia is another family that is better off, another family that can afford to provide more for their children and build a more prosperous state. That is and always will be our mission as the party of Labor.

Mr Speaker, there is no single measure or silver bullet that will address the challenges our state currently faces—not Olympic Dam or the future submarines, not Arrrium or the nuclear royal commission. But tax cuts are key, innovation is important, education is vital, health is essential and infrastructure is critical. Collectively, these measures provide us with confidence in the state's future, knowing that the solutions to our challenges lie with our people, within our grasp, leading to a more vibrant and modern and growing economy.

Mr Speaker, I would like to take the time to thank a few people, if I could: first and foremost, the Premier and my cabinet colleagues for helping me formulate this year's state budget; my caucus colleagues for the help they have given me in formulating this budget, in particular the member for Karna—he was with me the whole time in developing this budget; my Under Treasurer, David Reynolds; and my Deputy Under Treasurer, Stuart Hocking.

I thank Tania Pribanic, Mark Beveridge, Sandy Burness, Tracey Dassler and the staff of budget branch—fine public servants who serve this state beautifully. I thank Kevin Cantley, Greg Raymond, Michael Gunn, Jason Farren, and the staff of the public finance branch. I thank Mac Bollella for video and comms materials.

I thank my Chief of Staff, Jarred Pilkington; my ministerial staff; and my former media adviser, Lucy Hood, and of course her new baby, Audrey, who is here today to join us. Thanks to my new media adviser, David Russell; Nick Antonopoulos; Peter Labropoulos; and Ben Tuffnell. Thanks to Carly McNeill, who leads an amazing office in my ministerial office. Of course, thanks to Ms Jennifer Salter, who did an excellent job coming in to help out when we needed her the most. Most importantly, thanks to my personal assistant, Rachael Colegate, who has done an exceptional job.

Betty and Zoi from my electorate office, thank you. Most importantly, thanks to the love of my life, my wife, and my two beautiful daughters, Tia and Helena, who are misbehaving in the gallery, but that is okay. I commend this budget to the house.

Members interjecting:

The SPEAKER Order!

The Hon. A. KOUTSANTONIS: I seek leave to insert the remainder of the second reading explanation into *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

1—Short title

This clause is formal.

2—Commencement

This clause provides for the Bill to operate retrospectively to 1 July 2016. Until the Bill is passed, expenditure is financed from appropriation authority provided by the *Supply Act*.

3—Interpretation

This clause provides relevant definitions.

4—Issue and application of money

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

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

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

6—Expenditure from Hospitals Fund

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

7—Additional appropriation under other Acts

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

8—Overdraft limit

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

Schedule 1—Amounts proposed to be expended from the Consolidated Account during the financial year ending 30 June 2017

Debate adjourned on motion of Mr Gardner.

STATUTES AMENDMENT (BUDGET 2016) BILL

Standing Orders Suspension

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:34): I move:

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

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

Motion carried.

Introduction and First Reading

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:35): Obtained leave and introduced a bill for an act to amend various acts for the purposes of the 2016 state budget. Read a first time.

Second Reading

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

That this bill be now read a second time.

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

Leave granted.

This Bill contains measures that form part of the Government's budget initiatives for 2016-17.

This Bill amends the *Authorised Betting Operations Act 2000*.

The *Authorised Betting Operations Act 2000* will be amended to introduce a 15 per cent tax on net wagering revenue received from persons located in South Australia by all Australian-based wagering operators from 1 July 2017.

The tax will apply to, but is not limited to, bets on horse, harness and greyhound racing, bets on sports, such as AFL, cricket and soccer as well as other contingencies, such as bets on the winner of the Academy Awards.

A tax-free threshold of \$150,000 net wagering revenue per year is proposed for all wagering operators. It is considered that the cost of collecting tax from wagering operators with a small market share would be relatively high compared with the tax collected.

The betting industry is rapidly changing and our tax regime needs to change with it. By implementing a wagering tax based on the place of consumption, we are ensuring that businesses are paying taxes in the jurisdiction in which they are making their money.

To reflect the modern wagering market, the amendments will also change the classes of licences granted for wagering. This will allow for new a licence class to accept bets placed over the phone, internet or other electronic means provided the licence holder has substantial business assets and infrastructure located in South Australia.

To ensure that the wagering industry contributes their fair share to help fund services to support and rehabilitate people affected by problem gambling, the package will include a contribution by wagering operators to the Gamblers Rehabilitation Fund.

The wagering tax package will also make consequential amendments to the *Taxation Administration Act 1996* so that the *Authorised Betting Operations Act 2000* is considered a taxation law for the purposes of the *Taxation Administration Act 1996*.

This Bill also amends the *Education Act 1972*.

These amendments will enable the Chief Executive of the Department for Education and Child Development, as Director-General, to fix a charge for the dependents of subclass 457 visa holders to attend South Australian government schools.

Temporary Work (Skilled) visas (subclass 457) enable skilled persons to come to Australia to work for an approved employer for up to four years. Subclass 457 visa holders can bring eligible dependents with them, and their dependents can work and study. Other jurisdictions charge fees for the dependents of subclass 457 visa holders to attend government schools. New South Wales was the first state to introduce a fee in 2000-01 followed by ACT and WA. Currently, in South Australia, these students are only required to pay the materials and services charge which applies to all students enrolled in government schools.

The Government considers it reasonable that subclass 457 visa holders with dependents attending government schools make a modest contribution to the cost of providing public education. Accordingly, this Bill will amend section 106B of the Education Act to allow the Director-General to fix a charge payable by Government school students who are the dependents of subclass 457 visa holders. It would also allow for a charge to be fixed in relation to Government school students who are the dependents of other visa holders, as prescribed by the regulations. Allowing for the prescription of other kinds of visas by regulation is intended to provide some flexibility to accommodate changes in the visa subclasses over time.

It is intended that the fees for dependents of subclass 457 visa holders to attend government schools would be introduced from 1 January 2017, but that they would only apply to visa holders who arrive on or after that date in the first instance. The fees would then be extended to apply to existing subclass 457 visa holders from 1 January 2018.

It is intended that, for the 2017 school year, the fees would be \$5,100 for each primary school student and \$6,100 for each high school student. It is further intended that this would be subject to means testing arrangements, and discounts where there is more than one child in the family attending a government school. Full or partial waiver of fees may be available in exceptional cases of financial hardship.

All of the funding raised from these fees will go to early childhood education, which is one of the most crucial areas of our education system.

In accordance with the existing provision in section 106B(5), any charges payable under section 106B would be recoverable as debts due to the Minister. It is not intended that the dependents of subclass 457 visa holders would have their enrolment refused or cancelled for failing to pay fees, as is possible in ACT and NSW.

The Bill makes a further amendment to section 106B of the Act, reinstating the definition of 'full fee paying overseas student' which was inadvertently deleted as part of consequential amendments to the Act made when the *Education and Early Childhood Services (Registration and Standards) Act 2011* was enacted, and updating the terminology in that definition by replacing the term 'temporary entry permit' with the term 'temporary visa' to reflect amendments to the *Commonwealth Migration Act 1958*.

The Bill also makes a related amendment to the *Education and Early Childhood Services (Registration and Standards) Act 2011* to update the definition of 'full fee paying overseas student' by replacing the term 'temporary entry permit' with the term 'temporary visa' to reflect amendments to the *Commonwealth Migration Act 1958*.

The Bill amends the *Environment Protection Act 1993*.

These amendments are consequential to the amendments to the *Zero Waste SA Act 2004* also contained in this bill. They reflect the proposed change to the short title of the Act from the *Zero Waste SA Act 2004* to the *Green Industries SA Act 2004*.

The Bill also makes a number of amendments to the *Land Tax Act 1936*.

Effective from midnight 30 June 2016, all non-residential and non-vacant land owned by sporting and racing associations will be exempt from land tax. The exemption will be available provided that any net income from the land is used for the promotion of the association's objectives and not for the profit of its members. Residential and vacant land owned by sporting and racing associations will continue to be liable for land tax.

As from midnight 30 June 2016, the principal place of residence land tax exemption will be amended to enable an owner to continue to claim a land tax exemption for up to two land tax years in instances where the owner ceases to occupy their principal place of residence to undertake a rebuild or major renovation.

In instances where an owner ceases to occupy the principal place of residence and moves into another property he or she owns, the owner can elect which property is to receive the benefit of the exemption. In cases where the property is the only home owned, the exemption will continue to be available for two land tax years.

A principal place of residence land tax exemption will also be available for two land tax years where a person buys a property, whether vacant land or other unoccupied property, with the intention to build or renovate the property prior to the property becoming the principal place of residence of the owner.

The Bill contains a range of provisions that will be required to be satisfied for an owner to be eligible for the principal place of residence land tax exemption. These provisions will ensure that the exemption is not being exploited.

The Bill also amends the *Land Tax Act 1936* to address a technical issue that results in some trustees of charitable, educational, benevolent, religious and philanthropic trusts being ineligible for the land tax exemption that is available at section 4(1)(j) of the Act.

Trustees can be ineligible for the exemption at section 4(1)(j) because the trustee itself is not established for one of the purposes listed above, notwithstanding that the trustee holds the property on behalf of a trust that is established for an eligible purpose.

As a result of amendments contained in the Bill, all trustees that hold eligible land as trustee of an eligible trust will qualify for the exemption from the 2016-17 land tax year.

This Bill also makes amendments to the *Mining Act 1971* and the *Petroleum and Geothermal Energy Act 2000*.

These amendments mean the Treasurer will now be responsible for determining royalties, in consultation with the Minister for Mineral Resources and Energy. The administration of the royalties will still remain with the Minister for Mineral Resources and Energy. This change will align the Treasurers responsibilities to be consistent with other revenue policy areas, whilst maintaining collaboration with the Minister for Mineral Resources and Energy.

This Bill also makes amendments to the *Passenger Transport Act 1994*.

These amendments will allow for a \$1 per trip levy on all metropolitan point to point transport journeys. It is intended to start from 1 October 2016 and will apply to all taxi and chauffeured vehicle services, including new rideshare services.

The entry of new competitors into the market will have a significant impact on the existing industry. In recognition of this, the new \$1 levy will be used to partly fund an assistance package for the South Australian metropolitan taxi industry. The Government will provide a \$30,000 payment per taxi licence and a \$50 a week payment for a maximum of 11 months for licence lessees.

In addition, this Bill will also make amendments to introduce a maximum non-cash payment surcharge of 5 per cent on the payment of fares via card for a taxi or small passenger vehicles.

This Bill also amends the *Real Property Act 1886*.

These amendments will broaden the powers of delegation of the Registrar-General. Currently the Real Property Act provides for the Registrar-General, the deputies of the Registrar-General and the other officers to be public service employees. The key provisions of the Bill will amend the Act to strike out the words 'and the other officers' in Section 13(5), and make other consequential amendments to allow the Registrar-General a broader power of delegation. The Act will still require that the Registrar-General and the Deputy Registrar-General are public servants.

These amendments will allow the government, if it makes commercial sense, to commercialise some of the transactional services currently provided by the Land Services Group.

The Bill makes a number of amendments to the *Stamp Duties Act 1923*.

The off-the-plan stamp duty concession in the *Stamp Duties Act 1923* will be extended for one additional year to 30 June 2017. In addition, the current boundary, of inner metropolitan Adelaide, will be removed so that the concession will apply state-wide for all eligible contracts entered into between 20 June 2016 and 30 June 2017 (both dates inclusive).

Anti-avoidance provisions have been included in the Bill to deter persons who may attempt to replace contracts in existence prior to 20 June 2016 with new contracts in order to gain the benefit of the concession.

Section 67 of the *Stamp Duties Act 1923* will be amended to make clear that where a purchaser acquires property from two independent arm's length vendors the value of these properties will not be aggregated to determine the total stamp duty liability. Section 67 will remain an anti-avoidance provision aimed at counteracting the practice of dividing land into smaller portions to avoid increased rates of stamp duty.

The stamp duty exemption currently at section 71(5)(j) of the *Stamp Duties Act 1923* for charitable and religious bodies will be clarified to address a technical issue that results in some trustees of charitable and religious trusts being ineligible for an exemption.

Trustees can be ineligible for the exemption at section 71(5)(j) because the trustee itself is not established for a charitable or religious purpose, notwithstanding that the trustee purchased the property on behalf of a trust that is established for a charitable or religious purpose.

As a result of amendments contained in the Bill, all trustees that acquire eligible land as trustee of an eligible trust will qualify for the exemption from 1 July 2016. In addition to this change, the Bill moves this provision from section 71(5) of the Act to Schedule 2 of the Act to make clear that this exemption is available to purchases of property, as well as gifts of property, used wholly for charitable or religious purposes.

The *Statutes Amendment and Repeal (Budget 2015) Act 2015* removed, with effect from 18 June 2015, duty from all direct acquisitions of South Australian property, apart from land and prescribed goods.

In addition, the *Statutes Amendment and Repeal (Budget 2015) Act 2015* introduced additional definitions of land at section 2 of the *Stamp Duties Act 1923* to further clarify what is considered land for the purposes of the Act.

In order to establish whether specified goods or classes of goods are prescribed goods and therefore dutiable, taxpayers have been required to seek a declaration from the Commissioner. In the majority of cases it has been determined that the goods in consideration either did not have the necessary connection with the relevant land or came under the expanded land definition at section 2 of the Act.

On the basis that the additional land definitions now included in the *Stamp Duties Act 1923* are considered sufficient to ensure that the essential dutiable value will remain in the land and be brought to duty, the Bill removes the prescribed goods provisions from the *Stamp Duties Act 1923*.

As similar arrangements also apply to indirect acquisitions of South Australian land and goods under the landholder provisions contained at Part 4 of the *Stamp Duties Act 1923*, the Bill also removes the equivalent goods provisions from Part 4.

Removing the prescribed goods provisions from the Act will reduce red tape and provide savings to business by removing the need for them to apply to the Commissioner to have goods declared as not subject to stamp duty.

The Bill also amends the *Stamp Duties Act 1923* to reflect the Government's announcement in the *2015-16 Mid-Year Budget Review* that it would bring forward the first one third reduction in duty on non-residential,

non-primary production real property transfers from 1 July 2016 to 7 December 2015. This will replace an *ex gratia* scheme put in place by the Government to give effect to the extended duty concession.

This Bill also amends the *Taxation Administration Act 1996*

The Bill amends section 93(1) of the *Taxation Administration Act 1996* to make clear that a taxpayer is only required to pay 50 per cent of the primary tax in dispute before an appeal can be lodged (as opposed to 50 per cent of the whole amount of tax assessed inclusive of interest and penalty tax).

This Bill also amends the *Zero Waste SA Act 2004*.

As part of the State Government's 2014 State Election policies, a commitment was made to create a new agency to better capture the benefits of the green economy. The 2014-15 Budget delivered on this commitment through the formation of the Office of Green Industries SA. Amendments to the *Zero Waste SA Act 2004* will establish Green Industries SA as a new statutory authority.

The new authority will work with businesses, governments and the environmental sector to realise the full potential of the green economy and encourage innovation and economic growth through the green industry. It will build on the success of Zero Waste SA to continue to reduce waste to landfill, improve water and energy efficiencies, increase the State's capacity for recycling and help businesses find new markets for their waste management knowledge and skills.

The amendments to the *Zero Waste SA Act 2004* will also rename the Waste to Resources Fund to the Green Industry Fund. The use of the fund will be expanded to include climate change and disaster recovery measures.

I commend this Bill to the House.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal. The commencement provision allows for some provisions of the measure to be backdated.

Part 2—Amendment of *Authorised Betting Operations Act 2000*

4—Amendment of section 3—Interpretation

This clause introduces the concept of limited licences and makes consequential changes to definitions in the Act.

5—Amendment of heading to Part 2

This clause is consequential to the introduction of limited licences.

6—Amendment of heading to Part 2 Division 1

This clause is consequential to the introduction of limited licences.

7—Amendment of section 7—Grant of licences

This clause distinguishes between the current major betting operations licence (now to be known as the 'comprehensive' licence) and the new limited licences.

8—Amendment of section 8—Eligibility to hold licence

This clause is consequential to the introduction of limited licences. It is a requirement that the Minister be satisfied that the holder of a limited licence has substantial business assets and infrastructure located in South Australia.

9—Amendment of section 9—Authority conferred by licence

This clause sets out the authority conferred by the new limited licences.

10—Amendment of section 10—Term and renewal of licence

This clause is consequential to the introduction of limited licences.

11—Amendment of section 11—Conditions of licence

This clause is consequential to the introduction of limited licences.

12—Amendment of section 12—Approved licensing agreements

This updates a reference and is otherwise consequential to the introduction of limited licences.

13—Amendment of section 13—Racing distribution agreements

This clause updates a reference and is otherwise consequential to the change in terminology relating to the comprehensive licence.

14—Repeal of section 14

This clause repeals the provision relating to the duty agreement, consequentially to proposed new Part 3B.

15—Amendment of section 15—Approved licensing agreement to be tabled in Parliament

This clause is consequential to clause 14.

16—Amendment of section 16—Transfer of licence

This clause is consequential to the introduction of limited licences.

17—Amendment of section 17—Dealings affecting licensed business

This clause is consequential to the introduction of limited licences.

18—Amendment of section 18—Other transactions under which outsiders may acquire control or influence

This clause is consequential to the introduction of limited licences.

19—Amendment of section 19—Surrender of licence

This clause is consequential to the introduction of limited licences.

20—Amendment of section 20—Approval of designated persons

This clause is consequential to the introduction of limited licences.

21—Amendment of section 21—Applications

This clause is consequential to the introduction of limited licences.

22—Amendment of section 22—Determination of applications

This clause is consequential to the introduction of limited licences.

23—Amendment of section 23—Investigations

This clause is consequential to the introduction of limited licences.

24—Amendment of section 24—Investigative powers

This clause is consequential to the introduction of limited licences.

25—Amendment of section 25—Costs of investigation

This clause is consequential to the introduction of limited licences.

26—Amendment of section 26—Results of investigation

This clause is consequential to the introduction of limited licences.

27—Amendment of section 27—Accounts and audit

This clause is consequential to the introduction of limited licences.

28—Amendment of section 28—Licensee to supply Authority with copy of audited accounts

This clause is consequential to the introduction of limited licences.

29—Amendment of section 29—Duty of auditor

This clause is consequential to the introduction of limited licences.

30—Repeal of Part 2 Division 8

Division 8 of Part 2 deals with the payment of duty in relation to the major betting operations licence. This Division is repealed consequentially to proposed new Part 3B.

31—Amendment of section 33—Directions to licensee

This clause is consequential to the introduction of limited licences.

32—Amendment of section 33A—Commissioner to recover administration costs

This clause is consequential to the introduction of limited licences.

33—Repeal of Part 3 Division 2

Division 2 of Part 3 deals with the payment of duty in relation to licensed bookmakers and licensed racing clubs. This Division is repealed consequentially to proposed new Part 3B.

34—Amendment of section 40A—Authorisation of interstate betting operators

This clause amends section 40A for consistency with the amendments in clause 9 and to provide for returns (currently dealt with in section 40B).

35—Substitution of section 40B

This clause substitutes a new Part as follows:

Part 3B—Taxation

Division 1—Preliminary

40B—Interpretation

This section defines terms used in the Part.

Division 2—Betting operations tax

40C—Taxation Administration Act

Proposed amendments to the *Taxation Administration Act 1996* will make this Part (and regulations under the Part) a taxation law. This section acknowledges that the Part must be read together with that Act, subject to regulations made under section 40G.

40D—Liability to pay tax

This section sets out the liability to betting operations tax.

Division 3—Multi-jurisdictional agreements

40E—Treasurer may enter into agreements

This section enables the Treasurer to enter into agreements (called *multi-jurisdictional agreements*) with other Australian jurisdictions for co-operative arrangements relating to taxes, penalties and interest imposed on betting operations carried on in multiple jurisdictions.

40F—Commissioner of State Taxation must implement agreements

The Commissioner of State Taxation must take action that is necessary or expedient for giving effect to a multi-jurisdictional agreement.

Division 4—Regulations

40G—Regulations

This clause provides a regulation making power, including power to modify the application of the *Taxation Administration Act 1996* and power to provide for revenue collected under the Part, or a portion of such revenue, to be paid into a specified fund or funds and applied for prescribed purposes or in a prescribed manner.

36—Amendment of section 41—Approval of rules, systems, procedures and equipment

This clause is consequential to the introduction of limited licences.

37—Amendment of section 42—Location of off-course totalisator offices, branches and agencies

This clause is consequential to the introduction of limited licences.

38—Amendment of section 43—Prevention of betting by children

This clause is consequential to the introduction of limited licences.

39—Amendment of section 44—Prohibition of lending or extension of credit

This clause is consequential to the introduction of limited licences.

40—Amendment of section 45—Cash facilities not to be in certain areas staffed and managed by comprehensive licensee

This clause is consequential to the introduction of limited licences.

41—Amendment of section 46—Player return information

This clause is consequential to the introduction of limited licences and imposes a condition on such a licence that the licensee must, in accordance with determinations of the Commissioner, provide information relating to player returns on bets made with the licensee by persons located in South Australia and otherwise as required by the Commissioner.

42—Amendment of section 47—Systems and procedures for dispute resolution

This clause is consequential to the introduction of limited licences.

43—Amendment of section 48—Advertising code of practice

This clause is consequential to the introduction of limited licences.

44—Amendment of section 49—Responsible gambling code of practice

This clause is consequential to the introduction of limited licences.

45—Amendment of section 51—Alteration of approved rules, systems, procedures or equipment

This clause is consequential to the introduction of limited licences.

46—Amendment of section 67—Statutory default

This clause amends the definition of statutory default in Part 6 Division 1 so that a taxation default (as defined in proposed section 73A) will not, of itself, constitute a statutory default.

47—Amendment of section 69—Compliance notice

This clause is consequential to the introduction of limited licences.

48—Amendment of section 70—Expiation notice

This clause is consequential to the introduction of limited licences.

49—Amendment of section 72—Disciplinary action

This clause is consequential to the introduction of limited licences.

50—Insertion of section 73A

This clause inserts a new section as follows:

73A—Disciplinary action for taxation defaults

This section would allow for the taking of disciplinary action for a taxation default where the Commissioner of State Taxation instigates it.

51—Amendment of section 75—Powers of manager

This clause is consequential to the introduction of limited licences.

52—Amendment of section 76—Administrators, controllers and liquidators

This clause is consequential to the repeal of the duty provisions and the introduction of Part 3B.

53—Amendment of section 80—Lawfulness of betting operations conducted in accordance with Act

This clause is consequential to the introduction of limited licences.

54—Amendment of section 81—Further trade practices authorisations

This clause updates a reference and is otherwise consequential to the introduction of limited licences.

55—Amendment of section 84—Offences by bodies corporate

This clause is consequential to the repeal of the duty provisions.

56—Amendment of section 88—Service

This clause provides for the service of documents under Part 3B, or the *Taxation Administration Act 1996* as it applies in connection with Part 3B, to be governed by the service provisions in the *Taxation Administration Act 1996*.

57—Amendment of section 89—Evidence

This clause is consequential to new Part 3B.

58—Amendment of section 91—Regulations

This clause makes an amendment consequential to the repeal of section 39, increases the maximum penalty for offences against the regulations and provides for the making of savings and transitional regulations.

59—Transitional provision

The transitional provision allows the duty agreement to continue in force for a transitional period determined by agreement between the Treasurer and the licensee (and in accordance with any supplementary agreements entered into by the parties).

Part 3—Amendment of *Education Act 1972*

60—Amendment of section 106B—Charges for certain overseas and non-resident students

This clause amends section 106B to allow the Director-General to set fees for students who are dependants of certain temporary visa holders under the *Migration Act 1958* of the Commonwealth, and to insert a definition of 'full-fee paying overseas student'.

Part 4—Amendment of *Education and Early Childhood Services (Registration and Standards) Act 2011*

61—Amendment of section 3—Interpretation

This clause makes a consequential amendment (following the amendments made to the *Education Act 1972*) to section 3.

Part 5—Amendment of *Environment Protection Act 1993*

62—Amendment of section 47—Criteria for grant and conditions of environmental authorisations

The proposed amendments to section 47 are consequential on the amendments in Part 13.

63—Amendment of section 57—Criteria for grant and conditions of environmental authorisations

The proposed amendments to section 57 are consequential on the amendments in Part 13.

64—Amendment of section 121—Confidentiality

The proposed amendments to section 121 are consequential on the amendments in Part 13.

Part 6—Amendment of *Land Tax Act 1936*

65—Amendment of section 4—Imposition of land tax

The proposed amendments to section 4 ensure that the exclusion relating to land owned by an association established for a charitable, educational, benevolent, religious or philanthropic purpose will also apply where the land is held by a trustee on behalf of a trust established for such purposes and extend the exclusion applying to land owned by sporting and racing associations to all non-residential and non-vacant land owned by such associations.

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

This clause provides new grounds for exemptions from land tax where a person has ceased to occupy land as the person's principal place of residence because a building on the land is being renovated or rebuilt or where a person is renovating or constructing a building to be used as the person's principal place of residence. The provision sets out the requirements that must be fulfilled for the new exemptions to apply.

Part 7—Amendment of *Mining Act 1971*

67—Amendment of section 12—Delegation

This clause amends section 12 to provide a power of delegation to the Treasurer.

68—Amendment of section 17—Royalty

This clause amends section 17 to substitute the Treasurer for the Minister in respect of making certain determinations relating to royalty under the section.

69—Amendment of section 17A—Reduced royalty for new mines

This clause amends section 17A to substitute the Treasurer for the Minister in respect of making certain determinations relating to royalty under the section.

70—Amendment of section 17B—Assessments by Treasurer

This clause amends section 17B to substitute the Treasurer for the Minister in respect of making certain determinations relating to royalty under the section.

71—Amendment of section 17D—When royalty falls due (general principles)

This clause amends section 17D to substitute the Treasurer for the Minister in respect of making certain determinations relating to royalty under the section.

72—Amendment of section 17DA—Special principles relating to designated mining operators

This clause amends section 17DA to substitute the Treasurer for the Minister in respect of making certain determinations relating to royalty under the section.

73—Amendment of section 17E—Penalty for unpaid royalty

This clause amends section 17E to substitute the Treasurer for the Minister in respect of making certain determinations relating to royalty under the section.

Part 8—Amendment of *Passenger Transport Act 1994*

74—Amendment of section 4—Interpretation

This clause amends section 4 to insert definitions of the terms *chauffeured vehicle service*, *point to point transport service* and *taxi service*.

75—Amendment of section 36—Disciplinary powers

This clause amends section 36 to ensure that disciplinary action can be taken against the operator of a passenger transport service who fails to pay the point to point transport service transaction levy as required under the Act.

76—Insertion of Part 6A

This clause inserts a new Part relating to non-cash payment surcharges.

Part 6A—Non-cash payment surcharges

52A—Interpretation

New section 52A defines the term *non-cash payment surcharge*.

52B—Non-cash payment surcharges

New section 52B enables the making of regulations specifying the maximum amount payable for a non-cash payment surcharge or surcharges for the same hiring of a chauffeured vehicle service or taxi service.

52C—Overcharging for non-cash payment surcharge

New section 52C creates several offences.

Subsection (1) provides that if a non-cash surcharge that contravenes the regulations is imposed, certain persons are guilty of an offence ie., the person who imposed the surcharge, the owner or driver of the vehicle used to provide the chauffeured vehicle or taxi service, in the case of a taxi, the holder of the taxi licence, any person who provides or maintains the equipment installed in the vehicle that enabled the surcharge to be imposed, any person who manages or administers the system under which the amounts due for the hiring concerned may be paid by the use of a debit, credit, pre-paid or charge card, and any person of a class prescribed by the regulations made for the purposes of Part 6A.

Subsection (2) makes it an offence for a person, in a vehicle used to provide a point to point transport service, to collect or initiate the collection of a non-cash payment surcharge that contravenes the regulations made for the purposes of Part 6A.

Subsection (3) makes it an offence for a person to collect, for the purposes of or while providing a centralised booking service, a non-cash payment surcharge that contravenes the regulations made for the purposes of Part 6A.

In each case the maximum penalty is a \$15,000 fine, but in the case of an offence committed by a corporation, the court can impose a maximum penalty that is 5 times that amount.

Subsection (4) provides a defence if the defendant establishes that—

- (a) the non-cash payment surcharge was imposed or collected, or its collection was initiated, by another person; and
- (b) the defendant did not know, and could not reasonably be expected to know, that the other person had charged or collected, or would initiate the charge or collection of, a non-cash payment surcharge in respect of that hiring.

77—Amendment of section 59—General provisions relating to offences

This clause amends section 59 so that a prosecution for an offence against Schedule 2 can be commenced at any time within 5 years of the date of the alleged commission of the offence or, with the Attorney-General's authorisation, at any later time.

78—Insertion of section 62A

This clause inserts a new section as follows:

62A—Point to point transport service transaction levy

Proposed section 62A provides that a point to point transport service transaction levy is payable as provided in Schedule 2.

79—Amendment of Schedule 1—Regulations

This clause amends Schedule 1 to increase the maximum penalty that may be prescribed for an offence against the regulations to \$15,000.

80—Insertion of Schedule 2

This clause inserts a new Schedule 2.

Schedule 2—Point to point transport service transaction levy

Clause 1 defines the terms *assessment period*, *booking service*, *point to point transport service transaction*, *point to point transport service transaction levy* and *relevant provider*.

Clause 2 provides that a person who is a relevant provider during an assessment period is liable to pay the point to point transport service transaction levy for that assessment period calculated in accordance with this clause. The amount of the levy is \$1 for each point to point transport service transaction that occurred in the assessment period for which the levy is payable. The levy for an assessment period must be paid at such times and in such manner as the Minister, by notice in the Gazette, directs. If a person fails to pay the levy as required, the Minister may, by notice in writing, require the person to make good the default and, in addition, to pay to the Crown any interest or penalty amounts payable in accordance with the regulations.

Clause 3 provides that the levy is not payable for certain transactions. The levy is not payable for taking a booking for a point to point transport service if (a) the booking is for a service that is to be provided by a taxi for which a licence under Part 6 is not required, or (b) the booking is for a journey that commences outside Metropolitan Adelaide, or (c) the service is not provided for any reason, or (d) another person is already liable to pay the levy for taking a booking. The levy is not payable for providing a taxi service if (a) the service is provided by a taxi for which a licence under Part 6 is not required, or (b) the service is for a journey that commences outside Metropolitan Adelaide.

Clause 4 creates a number of offences. Subclause (1) makes it an offence for a person to, by a deliberate act or omission, evade or attempt to evade a payment required under Schedule 2. Subclause (2) requires a person who is a relevant provider during an assessment period to keep certain records, and subclause (3) makes it an offence for a person to deliberately damage or destroy a record required to be kept under subclause (2). In each case the maximum penalty is a fine of \$15,000.

Clause 5 empowers the Minister to extend the time for payment of an amount required under Schedule 2.

Clause 6 provides that no statute of limitation bars or affects any action or remedy for recovery by the Minister of an amount liable to be paid under Schedule 6.

Clause 7 provides that if a corporation is guilty of an offence against Schedule 2, a person who is concerned in, or takes part in, the management of the corporation is guilty of an offence and liable to the same penalty as may be imposed for the principal offence when committed by a natural person unless the person proves that he or she could not by the exercise of due diligence have prevented the commission of the offence. A person may be convicted of a contravention of a provision of Schedule 2 whether or not the corporation has been convicted of its contravention. Subclause (4) specifies who are persons who are concerned in, or take part in, the management of a corporation. The clause also allows the regulations to make provision in relation to the criminal liability of a person who is concerned in, or takes part in, the management of a corporation that is guilty of an offence against the regulations.

Clause 8 provides that the maximum penalty that a court may impose for an offence against Schedule 2, or regulations made for the purposes of Schedule 2, that is committed by a corporation is 5 times the maximum penalty that the court could, but for this clause, impose as a penalty for the offence.

Clause 9 provides that a person may be convicted of a second or subsequent offence for a failure to do an act (where the failure constitutes an offence against Schedule 2 or regulations made for the purposes of that Schedule) if the failure continues beyond the period or date in respect of which the person is convicted for the failure. The maximum penalty for the offence is the same whether it is a second or subsequent offence.

Clause 10 provides that regulations made for the purposes of Schedule 2 may make provision for certain matters. Clause 10 is to have effect in addition to section 64 provides for the making of regulations for the purposes of the Act.

Part 9—Amendment of *Petroleum and Geothermal Energy Act 2000*

81—Amendment of section 7—Delegation

This clause amends section 7 to provide a power of delegation to the Treasurer.

82—Amendment of section 43—Royalty on regulated resources

This clause amends section 43 to substitute the Treasurer for the Minister in respect of making certain determinations relating to royalty under the section.

83—Amendment of section 44—Penalty for late payment

This clause amends section 44 to substitute the Treasurer for the Minister in respect of making certain determinations relating to royalty under the section.

84—Amendment of section 45—Recovery of royalty

This clause amends section 45 to substitute the Treasurer for the Minister in respect of making certain determinations relating to royalty under the section.

Part 10—Amendment of *Real Property Act 1886*

85—Amendment of section 13—Administration of Act

Section 13 currently provides that there will be such other officers (in addition to the Registrar-General and his or her deputies) as may be necessary or expedient for the administration of the Act. As amended by this clause, section 13 will provide that there are to be such other persons engaged in the administration of the Act as the Registrar-General thinks fit. This clause also modernises some of the language of section 13.

86—Substitution of section 18A

Proposed section 17 authorises the Registrar-General to delegate a function or power under the *Real Property Act 1886* or another Act. The Registrar-General cannot delegate a prescribed function or power. The proposed section requires that a delegation be by instrument in writing. A delegation may be absolute or conditional, does not derogate from the power of the delegator to act in a matter and is revocable at will.

87—Amendment of section 21—Seal of office

The amendment made by this clause is consequential on the substitution of section 18A by proposed new section 17.

88—Amendment of section 208—Proceedings against the Registrar-General as nominal defendant

This amendment is consequential on the amendment made by clause 85.

89—Amendment of section 229—Offences

This amendment is also consequential on the amendment made by clause 85.

Part 11—Amendment of *Stamp Duties Act 1923*

90—Amendment of section 67—Computation of duty where instruments are interrelated

Section 67 deals with the manner in which duty is calculated when instruments are interrelated. This clause amends the section by adding to the list of instruments to which the section does not apply a conveyance that relates to land that is being conveyed as part of a series of separate conveyances of land by different persons to the same person (whether that person takes alone or with the same or different persons).

91—Amendment of section 71—Instruments chargeable as conveyances

Under section 71, a transfer of property to a body established wholly for charitable or religious purposes is deemed (subject to certain specified criteria) not to be a conveyance operating as a voluntary disposition *inter vivos*. This clause removes that exemption from the section. This amendment is made in connection with the amendment to Schedule 2 made by clause 107.

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

This clause amends section 71CC by removing references to goods.

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

The amendments made by this clause to section 71DB have the effect of extending the concession on duty payable in relation to conveyances of off-the-plan apartments to 30 June 2017 and broadening the definition of 'qualifying apartment' so that the concession will apply in relation to apartments situated (or to be situated) anywhere in the State purchased under contracts entered into on or after 20 June 2016.

94—Amendment of section 71DC—Concessional duty on designated real property transfers

This clause amends section 71DC to bring forward the relevant date from 1 July 2016 to 7 December 2015.

95—Amendment of section 91—Interpretation

This clause amends section 91 by removing the definition of 'goods' and provisions associated with that term.

96—Amendment of section 99—Determination of value

This clause removes references to goods from section 99. The term 'relevant asset', which encompasses South Australian goods, is replaced with 'underlying land asset'.

97—Amendment of section 102A—Calculation of duty

This clause amends section 102A by removing references to underlying South Australian goods.

98—Amendment of section 102B—Acquisition statement

This clause removes a reference to a land holding entity's underlying South Australian goods.

99—Amendment of section 102F—Exempt transactions and related matters

This clause deletes a provision relating to exclusion of the value of underlying South Australian goods.

100—Insertion of section 102GA

Proposed section 102GA makes it clear that Part 4 of the Act as in force after 1 July 2016 has no application in relation to acquisitions of prescribed interests, or increases in prescribed interests, in land holding entities that occurred before that date.

101—Amendment of heading to Part 4A Division 3

The heading to Part 4A Division 3 is amended by this clause as the Division as amended will apply in relation to all property other than land.

102—Repeal of section 104A

Section 104A is to be repealed as it includes a definition that is not required under Division 3 as amended by this measure.

103—Amendment of section 104B—Application of Division

Section 104B is to be amended by this clause so that Division 3 applies to all property other than land. References to prescribed goods are to be removed by the clause as the Division will no longer apply to those goods.

104—Amendment of section 104C—Abolition of duty on conveyance or transfer of property other than land

Section 104C as amended by this clause will provide that no liability to duty arises in relation to a conveyance or transfer of property to which Division 3 applies executed on or after 1 July 2016. The Division as amended will apply to all property other than land.

105—Amendment of section 104D—Relevant rates

The amendments made by this clause to section 104D are consequential on the broadening of the concept of property to which Division 3 applies to include all property other than land.

106—Insertion of section 104EA

Proposed section 104EA makes it clear that Division 3 of Part 4A as in force immediately before 1 July 2016 continues to apply in relation to conveyances or transfers of property executed on or after 18 June 2015 and before 1 July 2016.

107—Amendment of Schedule 2—Stamp duties and exemptions

This amendment is made in connection with the amendment made by clause 91. Schedule 2, which includes a list of exemptions from duty, is amended by the addition of an exemption for a conveyance or transfer of property to a body established wholly for charitable or religious purposes, or to a person who acquires the property in the person's capacity as trustee for a body established wholly for charitable or religious purposes. The exemption applies only if the Commissioner is satisfied that the property will not be used (wholly or predominantly) for commercial or business purposes. The exemption will not apply if any revenue, income or other benefit arising from the use of the property for commercial or business purposes will be applied towards the charitable or religious purposes of the body.

Part 12—Amendment of *Taxation Administration Act 1996*

108—Amendment of section 4—Meaning of taxation laws

This clause is consequential to clause 35.

109—Amendment of section 93—Appeal prohibited unless tax paid

This clause makes a minor amendment to subsection (1) so that the reference to 'tax' in that subsection will be only primary tax and will not include interest and penalty tax under Part 5.

Part 13—Amendment of *Zero Waste SA Act 2004*

110—Substitution of long title

This clause changes the long title of the Act, reflecting the proposed new direction of Green Industries SA (previously named Zero Waste SA) in promoting innovation and business activity in the State's waste management, resource recovery and green industry sectors.

111—Amendment of section 1—Short title

This clause amends the short title of this Act from '*Zero Waste SA Act 2004*' to '*Green Industries SA Act 2004*'.

112—Amendment of section 3—Interpretation

This clause makes changes to the definitions in the Act, reflecting the new names and directions under the Act. It also includes a definition of 'resource recovery' which now has a commonly understood meaning in the waste and materials management industry.

113—Insertion of sections 3A and 3B

This clause inserts new sections 3A and 3B into the Act.

3A—Guiding principles

Section 3A brings together the guiding principles from where they previously were in the Act (section 5) and adds the principle of the 'circular economy'. Reference to these principles is not only continued in section 5 of the Act in relation to Green Industries SA furthering its objectives and exercising its functions, but is also now made in the new definition of 'green industry' in proposed section 3B.

3B—Green industry

Section 3B defines what is meant by 'green industry' for the purposes of the Act, namely—

- any business activity for the production of goods or services that demonstrates, as far as is reasonably practicable, the application of the guiding principles set out in section 3A in the manner of production and the goods or services themselves; or
- any business activity carried on in support of, or in connection with, an activity referred to in paragraph (a), including research and development, education and marketing.

114—Substitution of heading to Part 2

This clause inserts a new heading to Part 2.

Part 2—Green Industries SA

115—Amendment of section 4—Green Industries SA

This clause makes consequential amendments to section 4 of the Act and clarifies that personal property includes intellectual property.

116—Substitution of sections 5 and 6

This clause substitutes sections 5 and 6 of the Act.

5—Primary objectives and principles of Green Industries SA

Section 5 is redrafted and adds as a new primary objective that of promoting innovation and business activity in the waste management, resource recovery and green industry sectors, recognising that these areas present a valuable opportunity to contribute to the State's economic growth. It also refers to the newly articulated guiding principles.

6—Functions of Green Industries SA

Section 6 preserves some of the former functions of Zero Waste SA as well as the proposed functions of Green Industries SA, reflecting the industry-orientated direction of this newly named body.

117—Amendment of section 7—Powers of Green Industries SA

This clause amends section 7 of the Act to enable Green Industries SA to make use of certain information collected by the EPA, for example, information relating to waste-related activities carried on under the *Environment Protection Act 1993* (or the regulations or environment protection policies made under that Act). Safeguards are included to protect the use of information relating to trade processes or financial information.

118—Amendment of section 7A—Application of Public Finance and Audit Act 1987

These amendments are consequential.

119—Amendment of section 8—Chief Executive

These amendments continue the office of the Chief Executive.

120—Amendment of section 9—Board of Green Industries SA

These amendments continue the Board (previously known as the Board of Zero Waste SA) as the Board of Green Industries SA. The constitution of the Board is altered so that members have, collectively, experience or expertise (gained through involvement in business or government) in the following areas:

- waste management, resource recovery or green industry;
- ecological sustainability;
- commercialisation of goods or services, entrepreneurship or other business development;
- corporate governance;
- community engagement;
- marketing.

121—Amendment of section 10—Terms and conditions of office

This clause extends board membership terms to 3 years (from 2 years), with a cap of 9 consecutive years.

122—Amendment of section 12—Committees and subcommittees of Board

These amendments are consequential.

123—Amendment of section 13A—Delegations by Green Industries SA

These amendments are consequential.

124—Amendment of section 14—Business plan

These amendments are consequential.

125—Amendment of section 15—Annual report

The amendments to this section reflect the shared application of the Fund by Green Industries SA and the Minister. Other amendments in this clause are consequential.

126—Amendment of section 16—Use and protection of name

This clause adds 'Green Industries SA' to the list of protected names.

127—Substitution of heading to Part 3

This clause inserts a new heading to Part 3.

Part 3—Green Industry Fund

128—Amendment of section 17—Green Industry Fund

This clause changes the way in which the Fund can be applied. It adds a provision enabling the Minister (in addition to Green Industries SA) to make payments from the Fund. It is proposed to enable the Minister to apply the Fund—

- towards the payment of costs of climate change initiatives, including research and development, education, innovation or business activity, in relation to initiatives for mitigating the effects of climate change, minimising carbon emissions and adapting to climate change; and
- towards the payment of costs of managing waste or debris, or harm to the environment, following an identified major incident, a major emergency or a disaster, declared under Part 4 Division 3 of the *Emergency Management Act 2004*.

The clause also clarifies the form that payments from the Fund by Green Industries SA and the Minister may take, namely—

- a grant of an amount to a person or body; or
- with the approval of the Treasurer—
 - forming, or acquiring, holding, dealing with and disposing of, shares, units in a unit trust, interests in such shares or units or other interests in or securities issued by, bodies corporate; or
 - entering into a partnership, joint venture or other profit sharing agreement.

129—Insertion of section 17A

This clause inserts new section 17A.

17A—Delegation by Minister of power under section 17

This section inserts a new power of delegation by the Minister specifically in relation to the Minister's power of applying the Fund under proposed section 17(5)(b). The Minister will be able to delegate that power to another Minister or to any person for the time being performing particular duties or holding or acting in a particular position in an administrative unit of the Public Service.

130—Amendment of section 18—Development of waste strategy

This clause adds new components to the waste strategy, reflective of the new direction of the Act of promoting the use of waste to generate industry.

131—Amendment of section 19—Green Industries SA and EPA to co-ordinate activities

These amendments are consequential.

132—Transitional provision

This clause adds transitional provisions that will assist in bringing the new measures into effect.

Debate adjourned on motion of Mr Gardner.

CONTROLLED SUBSTANCES (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (15:37): Obtained leave and introduced a bill for an act to amend the Controlled Substances Act 1984. Read a first time.

Second Reading

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (15:38): I move:

That this bill be now read a second time.

This bill will make three technical amendments to the Controlled Substances Act 1984 (the CS Act)—

Members interjecting:

The DEPUTY SPEAKER: I cannot hear the minister speaking.

The Hon. L.A. VLAHOS: —to provide users with clarity. It also takes into account an agreement at a national level to reduce the regulatory burden on businesses by achieving nationally consistent poisons regulation. Clause 4 of this bill will simplify the legislation, making it easier for users to find requirements by prescribing all information that retailers must record when selling schedule 7 poisons under the Controlled Substances (Poisons) Regulations 2011 (the Poisons Regulations).

Schedule 7 poisons are dangerous poisons used for agricultural or industrial purposes such as arsenic, cyanide or strychnine. These poisons have a high potential for harm at low exposures and require special precautions during handling. There are currently requirements in the Controlled Substances Act, as well as the Poisons Regulations, for the retailer to keep records of information including the name, address and occupation of the purchaser, the date and purpose for purchasing the poison, and the name, form, strength and quantity of the purchased poison.

The Council of Australian Governments (COAG) identified inconsistent poisons regulation as an area of reform in the National Partnership Agreement to deliver seamless national economy to our country. Record keeping requirements for schedule 7 poisons transactions is one of the regulatory areas that is inconsistent between jurisdictions and poses compliance costs for businesses operating across borders.

A set of uniform controls over poisons that includes the information recorded about schedule 7 poison sales was developed by the Australian poisons regulators. The controls were agreed nationally at the Council of Australian Governments Health Council on behalf of COAG to achieve consistent regulation of poisons to reduce regulatory burden on businesses. All jurisdictions have agreed to amend their relevant legislation to reflect these uniform controls, and the completion of the reform process is expected to end in 2017.

Referring to the national uniform control will reduce the amount of information retailers need to record by removing the uniquely South Australian requirement to record the purpose of purchase of the schedule 7 poison. This change will not reduce overall regulatory oversight of the supply chain for schedule 7 poisons because another requirement under the Controlled Substances Act requires retailers to satisfactorily determine the purpose of purchase before proceeding with the sale, and a requirement under the national uniform control requires retailers to record proof of the purchaser's authority to purchase poison that indicates the purchaser's occupation and context of use.

This bill will assist South Australian businesses by harmonising and reducing the amount of information to record, particularly those businesses that operate across state and territory borders by removing the need for them to understand and comply with multiple sets of inconsistent regulations. The major retailer of schedule 7 poisons in South Australia supports this amendment to achieve national consistency.

Clause 5 of this bill clarifies the regulation of schedule 4 prescription drugs such as antibiotics for users of the Controlled Substances Act. The Controlled Substances Act empowers me to grant a licence to organisations such as the South Australian Museum, the RSPCA and the Animal Welfare League to possess schedule 4 prescription drugs to administer to animals and to apply conditions to these licences to control this activity. Licensing enables these organisations to operate effectively without posing a risk to public safety.

Prior to 2011, the Controlled Substances Act made reference to a person being permitted to administer a schedule 4 prescription drug to an animal if the Minister for Mental Health and Substance Abuse had licensed that person to do so. Changes to the Controlled Substances Act in 2011 inadvertently omitted this reference. This clause will return to the previous provisions by reinstating the reference to a person being permitted to administer schedule 4 prescription drugs to animals when I have licensed them to do so.

Clause 6 of this bill will clarify that the Minister for Mental Health and Substance Abuse shall have the power to issue a prohibition order against a person who has sold a prescription drug in an irresponsible manner to prevent the person from doing so again in the future. Section 57 of the Controlled Substances Act is intended to apply particularly to pharmacists to prevent potentially dangerous sales of prescription drugs.

I have been advised that when a pharmacist dispenses a prescription, they are selling the medicine to the consumer, not supplying it, and that the terms 'supply' and 'sell' are not used interchangeably in the Controlled Substances Act. This clause will make reference to 'selling' as well as 'supplying' drugs to remove any ambiguity around the nature of activities I may consider in forming the opinion that a prohibition order should be issued. I commend the bill to members. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

Clauses 1 to 3 are formal.

Part 2—Amendment of *Controlled Substances Act 1984*

4—Amendment of section 16—Sale of certain poisons

This clause amends section 16 of the Act so that all the information that must be recorded by a person who sells poisons to which section 16 applies will be prescribed by the regulations.

5—Amendment of section 18—Regulation of prescription drugs

This clause amends section 18 of the Act so that a person may administer a prescription drug (other than a drug of dependence) to another person, or to an animal, if the person is licensed to do so by the Minister.

6—Amendment of section 57—Power of Minister to prohibit certain activities

This clause amends section 57 of the Act so that the Minister is empowered to prohibit a person from manufacturing, producing, packaging, selling, supplying, prescribing, administering, using or having possession of a substance or device if the person has, in the opinion of the Minister, sold a prescription drug in an irresponsible manner.

Debate adjourned on motion of Mr Gardner.

At 15:44 the house adjourned until Tuesday 26 July 2016 at 11:00.