

LEGISLATIVE COUNCIL**Thursday 1 December 2011**

The **PRESIDENT (Hon. R.K. Sneath)** took the chair at 14:19 and read prayers.

LOCAL GOVERNMENT (MODEL BY-LAWS) AMENDMENT BILL

His Excellency the Governor's Deputy assented to the bill.

SUMMARY OFFENCES (PRESCRIBED MOTOR VEHICLES) AMENDMENT BILL

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:21): I move:

That the sitting of the Legislative Council be not suspended during the continuation of the conference with the House of Assembly on the bill.

Motion carried.

MARINE PARKS

The Hon. D.G.E. HOOD: Presented a petition signed by 6,648 residents of South Australia requesting the council to urge the government to repeal the Marine Parks Act 2007.

PAPERS

The following papers were laid on the table:

By the President—

Reports, 2010-11
City of Prospect
District Councils—
Kimba
Naracoorte Lucindale
Robe
Wattle Range

By the Minister for Agriculture, Food and Fisheries (Hon. G.E. Gago)—

Reports, 2010-11
Australian Energy Market Commission
Barring Orders
Department of Trade and Economic Development
Electoral Commission of South Australia
Energy Consumers' Council
Gaming Machines Act 1992
State Coroner
West Beach Trust
Regulations under the following Acts—
Environment, Resources and Development Court Act 1993—Schedule 1—
Fees Variation

By the Minister for Tourism (Hon. G.E. Gago)—

Reports, 2010-11
Adelaide Convention Centre
Adelaide Entertainment Centre
Adelaide Entertainment Corporation Charter

By the Minister for Industrial Relations (Hon. R.P. Wortley)—

Reports, 2010-11—
Millicent and Districts Health Advisory Council Inc
Mount Gambier and Districts Health Advisory Council Inc
Port Broughton Health Advisory Council Inc

SA Metropolitan Fire Service Superannuation Board

By the Minister for Communities and Social Inclusion (Hon. I.K. Hunter)—

Reports, 2010-11—

Correctional Services Advisory Council

Department of Education and Children's Services

South Australian-Victorian Border—Groundwaters Agreement Review Committee

NATURAL RESOURCES COMMITTEE

The Hon. G.A. KANDELAARS (14:25): I bring up the 2010-11 report of the committee on the Upper South East Dryland Salinity and Flood Management Act 2002.

Report received.

MURRAY-DARLING BASIN PLAN

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:25): I table a copy of a ministerial statement relating to the Murray-Darling Basin draft plan made in another place by the Premier, the Hon. Jay Weatherill.

OLYMPIC DAM EXPANSION

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:25): I table a copy of a ministerial statement relating to ODX indenture acknowledgements made by the Hon. Tom Koutsantonis.

Members interjecting:

The PRESIDENT: Order! Honourable members are very easily excited.

QUESTION TIME**PORT ADELAIDE PRECINCT**

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:26): I seek leave to make a brief explanation before asking the Minister for Industrial Relations and for State/Local Government Relations a question about apparent contradictions concerning statements about events in the old and recent past.

Leave granted.

The Hon. D.W. RIDGWAY: We have a history in this state in which certain districts or suburbs played a greater role than others. Among the former is Port Adelaide, rich in terms of heritage but now poor in terms of economic activity. Three weeks ago the Premier called a halt to—in fact, he cancelled—a major development at Port Adelaide. He said:

We think we can do a whole lot better down there. There's a whole lot of old buildings, beautiful buildings like the old Customs House that are just covered in pigeon poo and just sort of sitting there. But they could be magnificent. And so that's why we're taking it back in to revitalise it.

The Premier's statement gave some hope, even confidence, that the government was onside when it came to refurbishing and reconditioning what is left of Port Adelaide's historic buildings, and getting rid of the pigeon poo as well.

In February the Port Adelaide Enfield council began lobbying the government to introduce legislation specifically aimed at properties in the port's heritage precinct. The laws would have forced property owners to spruce up heritage buildings which had fallen into disrepair and become derelict. However, this week the local government minister, the Hon. Mr Wortley, rejected the council proposal. Instead he wants all ratepayers at Port Adelaide Enfield to subsidise property owners to do their work through rate rebates and increased heritage grants.

My question is: can the minister explain this backflip regarding Mr Weatherill's commitment to the Port Adelaide precinct and the minister's decision to kibosh the council-endorsed proposal?

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (14:28): I thank the honourable member for his question. The Port Adelaide Enfield council wrote to the previous minister in May 2011 about a council resolution to

approach the state government in relation to the provision of suitable legislation to allow the council to clean up the historic port township precinct. I wrote to the council and advised that the Local Government Act 1999 contained powers for councils to issue orders with regard to unsightly conditions of land and buildings and, in the event of noncompliance, councils may take action and recover costs.

I also advised the council that there was a range of approaches that could be pursued with regard to this issue, including looking at provisions prescribed in the Heritage Places Act 1993 which relate to the protection of heritage places. Additionally, the council could provide financial incentives to assist property owners with the cost of maintenance and the clean-up of buildings. I understand the Port Adelaide Enfield council has a heritage grant scheme which assists with work to maintain places of local heritage significance.

I am open to working with the Port Adelaide Enfield council on this matter, and it is possible that council may be able to adopt options and strategies that are already available. I have also suggested to the Port Adelaide Enfield council that it may wish to consult with other councils about their experiences and views on this matter. If, as a result, councils wish to present a submission, based on information from across the sector, including experience with current legislative and other options, then I am more than prepared to consider this.

I would like to again thank the honourable member for his question, but it is quite obvious that the people of Port Adelaide are not at the forefront of the question or the concern of the honourable member. We all know that there is going to be a by-election very shortly and the mayor will be a candidate, so it is in the interests of the Liberal Party to be pushing the candidacy of the mayor, Gary Johanson. It is a shame that this leader—

The Hon. D.W. Ridgway: Ridiculous. That's outrageous stuff.

The Hon. R.P. WORTLEY: It's outrageous, that's right. It is a shame that the leader cannot actually pick up an issue that he actually has some commitment and passion for, instead of having every issue as a part of the political tactic.

The PRESIDENT: The Hon. Ms Lensink has a supplementary.

PORT ADELAIDE PRECINCT

The Hon. J.M.A. LENSINK (14:30): Has the minister been down to Port Adelaide recently to have a look at the state of disrepair of certain buildings, especially Customs House?

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (14:30): Thank you for your question. I have; I was down there only recently, and I noticed the disgraceful condition—absolutely disgraceful. I actually mentioned it to the mayor then that it is an unsightly building but, as I have outlined in my response, there are other options available before legislative change. However I am quite prepared, if they want to put a submission to me, to work with the councils.

PARLIAMENTARY SITTING HOURS

The Hon. J.M.A. LENSINK (14:31): I seek leave to make a brief explanation before directing a question to the Leader of the Government on the subject of parliamentary sitting hours.

Leave granted.

The Hon. J.M.A. LENSINK: On 29 September, in this place the Hon. Rob Brokenshire asked a question about sitting hours, suggesting that we sit at 11 on Tuesdays, Wednesdays and Thursdays. The minister, in her response, said that she had no objection to what the honourable member raised but was looking at efficiencies. My question to the minister is: has she further developed a position on this, and would she at least consider a standing arrangement that we start at 11am on Thursdays?

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:31): I thank the honourable member for her most important question and, indeed, I have to say that this week we put in place starting times of 10am, and I think the week before it was either 10am or 11am, and I have to commend the house. I have to say that I have been very impressed with the efficient way that this house has managed the priority legislation, particularly the priority government legislation but also the priority private members' business.

I think that the last two weeks have been particularly productive, and the chamber has operated in a very efficient and effective way. I think we have made very good use of that early sitting time. I have been very impressed with that and, given that excellent behaviour, I am certainly more than happy to reflect further on the issue.

However, at the time that I answered this question previously, members might recall that I did raise the issue that this place is known for wasting people's time—filibustering—from time to time. Sometimes there have been examples of disgraceful abuse of our time here or misuse.

The Hon. D.W. Ridgway: Name them.

The Hon. G.E. GAGO: No, I won't name individuals because, in fact, most people sitting opposite me have been involved in that sort of behaviour at one time or other, so it would really be naming everybody opposite me at least. There are a few other culprits in the room as well.

I do weigh up these matters. Unfortunately there are too many examples of abuse of parliamentary time—inefficient, ineffective use of very precious parliamentary time. We have seen sittings go on extremely late in the evening, with longwinded debates that have contributed very little to advancing any issue or resulting in any constructive outcome. There are too many of those examples.

I fear it is a bit like my handbag: the larger the handbag I buy, I just fill up whatever space is available. My concern is that, if we routinely increase parliamentary sitting time at the beginning of the day, when that abusive, inefficient behaviour returns, all we will do is start earlier and we will be sitting just as late as we ever have and there will be just as much inefficiency and abuse going on. However, having said that, I must reiterate again how impressed I have been with the way the business of the chamber has run over the last couple of weeks in particular and the very efficient use of time. I will reflect on that.

The PRESIDENT: Very efficient staff of the Legislative Council.

The Hon. G.E. GAGO: Absolutely. The staff here are incredibly efficient, and their unerring diligence, attention to detail and keeping us on track is something that I will perhaps reflect on a little closer to the end of this session today.

DISABILITY SERVICES

The Hon. S.G. WADE (14:36): I seek leave to make a brief explanation before asking the Minister for Disabilities a question relating to quality standards for disability services.

Leave granted.

The Hon. S.G. WADE: Australians reasonably require high standards of accreditation for personal care services, such as aged and healthcare practitioners, services and institutions, yet disability services are largely free of accreditation and standards. The Disability Services Act of South Australia 1993 requires service providers and researchers funded under the act to apply the principles and objectives of the act, but those objectives and principles are vague and light.

I acknowledge that the government has commissioned a review of the act, and I note that the Strong Voices report urges this parliament to enact a new act, which it says 'would specify high-level service standards, such as minimising use of restricted practices'. I note that that report talked only about high-level standards; I do not take that as a reference to accreditation standards.

In 2007, the Victorian government introduced rigorous quality standards for disability service providers in that state. South Australia has nothing comparable. With moves towards individualised funding and the national disability insurance scheme, people with disabilities and those who support them will increasingly need to have assurance of the quality of the services they are accessing in a competitive service delivery market. Vulnerable South Australians deserve to know that the services they are seeking have attained appropriate quality standards. My questions to the minister are:

1. Will the government release the report and recommendations of the Disability Services Act review as a freestanding report?
2. Will the minister commit to introducing a quality standards framework for disability services and service providers in South Australia?

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (14:38):

I would like to thank the honourable member for his very important question on the issue of quality standards for disability service providers in South Australia. It is an issue that is quite germane, because I raised this issue last night at the Autism SA annual general meeting. The standards and accreditation levels that applies to NGOs, in particular, in this state are not what I would describe in this day and age as being up to date and particularly modern.

There are, of course, problems with regulating higher standards of accreditation and service delivery standards, because it means that the NGOs have to be appropriately trained, their staff have to be up to a certain level of certification, and that all entails some sort of funding to actually help the NGOs through that process. These are some of the issues that the review the honourable member referred to is considering. Of course, if we do go down the path of looking at a new act, which is the recommendation in Strong Voices, that will be one of the concerns that we will have to contemplate.

In regards to the government releasing the report, I will have a look at the report, consider it and then make my judgement on when that will be released, if it is released, to this parliament.

The PRESIDENT: The Hon. Ms Vincent has a supplementary.

DISABILITY SERVICES

The Hon. K.L. VINCENT (14:39): Given that the minister has acknowledged that current accreditation standards for disability services are inadequate and the vulnerability that this can cause people with disabilities, will the government now support the mandatory reporting bill when it is introduced in the next session?

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (14:39): The honourable member asked a supplementary about mandatory reporting. As she knows, my advisory committee has recommended not to go down the path of mandatory reporting; they say that that is too restrictive a process and there are better ways of dealing with the issues than mandatory reporting, as evidenced by some of the systems put in place in the UK, which I hope I will have a report on very shortly.

The PRESIDENT: The Hon. Mr Wade has a supplementary question.

DISABILITY SERVICES

The Hon. S.G. WADE (14:40): Will the minister release the report by Dr Hallanan into mandatory reporting that he referred to?

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (14:40): I understood that that report was already in the public domain. I will check on that and come back to the member with an answer.

RIVERLAND WINE INDUSTRY

The Hon. CARMEL ZOLLO (14:40): I seek leave to make a brief explanation before asking the Minister for Regional Development a question about recent assistance to an industry in the Riverland.

Leave granted.

The Hon. CARMEL ZOLLO: For many, wine is one of the great pleasures in life, and South Australia is the Australian leader in wine production, and it is blessed with a number of important wine regions, including the Riverland. I ask the minister: will she tell the house about recent support for this industry in the Riverland.

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:41): I thank the honourable member for her most important question. Indeed, as I have said in this place before, the Riverland is one of our jewels. Members of this place have heard me on a number of occasions wax lyrical about what a wonderful place the Riverland is, in spite of the challenges it has before it.

I am very pleased to be able to tell the chamber that the Riverland Sustainable Futures Fund has supported a project to increase the production capacity of one of South Australia's oldest wineries. I have recently approved an application from Angove's Winery for up to \$286,942 towards

the installation of four new 100-tonne sweep-arm fermenters at its Bookmark Avenue winery in Renmark.

This project, which is expected to require an investment of over \$500,000, is planned to increase the winery's red fermenter capacity, from 1,300 to 1,700 tonnes per week, and to bring the seasonal processing capability of this significant winemaker from approximately 12,000 tonnes to just under 16,000 tonnes.

Angove Family Winemakers (AFW) was founded in 1910 and is Australia's 16th largest winery and the country's 12th largest wine exporter by branded wine sales. AFW exports approximately 86 per cent of its production outside the state, with 36 per cent of this being domestic sales and 50 per cent being international sales, obviously making it a very important exporter for the state.

The company produces well-known global brands, such as Vineyard Select, Long Row, Nine Vines, Organics, Brightlands, Red Belly Black, Bear Crossing and also Butterfly Ridge, for export to around 30 different countries around the world. This winery is also an important employer in the region. It employs over 170 people, and around 90 people locally in the Riverland, to produce more than 1.5 million cases of wine annually.

To accommodate an ongoing export wine contract with Sainsbury's in the UK, and to meet increasing US demands for its range of wines with grapes purchased from the region and processed through the Renmark facility, AFW needs to increase its red fermenter capacity. Importantly, I am advised that the additional crush capacity will generate significant grower payments for the region, with approximately \$670,000 of increased payments for 2012 and over \$1 million for 2013 and beyond. So, it is good news for local grape growers.

Angove's is a long-term Riverland winery and, as I am advised, it plans to help lead recovery of the region's wine industry by increasing its operational capacity and diversifying its product offerings beyond industry forecasts. Building its capacity and sourcing more grapes from local growers to help reinvigorate the wine industry in this iconic wine region is obviously a very positive and good thing. This government is very pleased to be able to get behind this sort of endeavour by assisting with the grant.

I am advised that the winery also plans to seek the necessary tanks for this expansion from a local manufacturer, and the tanks are to be constructed by JMA Engineering at their Berri fabrication facility and then transported and erected at the winery. The project is set to commence later this year and aims to be completed by the first quarter of 2012.

FREEDOM OF INFORMATION

The Hon. M. PARNELL (14:46): I seek leave to make a brief explanation before asking the Leader of Government Business questions about the reply to a question asked last year about the Digging Deep report.

Leave granted.

The Hon. M. PARNELL: In November last year, the Social Inclusion Unit released a glossy coffee table book entitled *Digging deep: social benefits of mining in South Australia*. This report caused a furore at the time because of its use of the Social Inclusion Unit's budget to prepare low content corporate spin that should really have come from the Chamber of Mines. In response to that release, I lodged a Freedom of Information Act request to ascertain the cost and distribution of the report. In the usual manner it ended up going to the Ombudsman but last week I finally received a response, almost 12 months to the day after my original request.

At the same time I was lodging that request, the Hon. David Ridgway asked a similar question without notice in this place, followed by a supplementary, to then minister Paul Holloway. Minister Holloway said that he would take the questions on notice and bring back a response. The Freedom of Information Act response details an initial quote of about \$9,000 for the 500 copies. This was followed up with a more expensive quote for a 'perfect bound' book for \$18,674 for the design and printing and a further Australia Post pricing statement for approximately \$1,700 to distribute the reports.

What is most interesting in the FOI documents is that the response was prepared by the department to the Hon. David Ridgway's questions, and those drafts were prepared one week after the honourable member asked the question. The final minute was dated 3 December 2010. What

the response details is that the cost of production was ultimately \$18,113 including GST (but excluding postage), but it also documents the list of recipients.

It says of the 500 copies of this book that were produced, 371 of those (the vast bulk) went to: 12 to the mining companies which contributed; 10 to mining companies which did not contribute to the publication; 143 to mining company board members; 52 to additional mining industry contacts; 47 to South Australian MPs; 22 to South Australian MLCs; 27 to relevant interstate and commonwealth ministers; 13 to board members of the Economic Development Board; 20 to agency CEOs and additional departmental contacts; 25 to NGOs; then there were 29 all together which went to Aboriginal agencies and local government; and 100 were retained by the Social Inclusion Unit.

Leaving aside the question of the appalling use of taxpayers' resources to produce this book, the fact that the response was prepared a year ago but despite my thorough searching of *Hansard* I can find no record of the answer ever having been provided here in parliament, and that raises a number of intriguing questions about the government's handling of questions taken on notice. My questions are:

1. Why wasn't a reply given in parliament when the public sector resources had been used to prepare a response a whole 12 months ago?
2. What is the government's time frame for responding to questions taken on notice during question time?
3. Does this exercise demonstrate that if we want an answer to a question we have asked in parliament, we should also put in a Freedom of Information Act request at the same time?

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:49): Well, they do anyway. They put FOIs in on everything, including documents that are already on the public record. That aside, clearly, this is a matter that was the responsibility of the former minister. I would not know what problems there were or why an answer was not given. I would be more than happy to have that checked out to see if there is any explanation for that.

We attempt, wherever possible, to answer questions without notice, and with notice, as soon as we possibly can. We genuinely attempt to expedite those. That is our position, that we try to answer questions as expeditiously as we possibly can. However, I have to say that there are many questions that are asked, often requiring a great deal of detailed information that is not readily available, and that takes a great deal of time.

The Hon. M. Parnell interjecting:

The Hon. G.E. GAGO: I have probably been distracted by some other furphy question that was holding up a whole agency of staff to try to dig down and find some obscure piece of information that is relevant to very little. The point I am trying to make is that a great deal of time, energy, resources and money is put into the responses to these questions. Many of these questions are quite mischievous; they are not genuine questions at all. I am not suggesting for one minute that the question that the Hon. Mark Parnell has asked is not genuine, I am just speaking in a—

The Hon. D.W. Ridgway interjecting:

The Hon. G.E. GAGO: Your one on Port Adelaide today, I think, is a good example of political opportunism and abuse of question time. You have given me a very good example of the point that I am trying to make, in terms of how these things can be abused. In terms of time frames, the answer is: as soon as possible. In terms of why it was not: I am not sure but I am happy to check that out and if there is an answer to that then I am happy to bring that back. I think there was just the two questions?

The Hon. M. Parnell: Should we lodge FOIs?

The Hon. G.E. GAGO: I answered that one first, that you do anyway and you also lodge FOIs for documents that are already on the public record; often you do not even bother to check whether the information is publicly available or not.

WORKPLACE INJURIES

The Hon. G.A. KANDELAARS (14:53): Can the Minister for Industrial Relations advise the council of South Australia's performance, compared to the rest of Australia, in terms of reducing workplace injuries?

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (14:53): I thank the member for his very important question. I also acknowledge the many years that the Hon. Mr Kandelaars spent ensuring that his workplace was safe. I would also like to make it clear that this is the sort of good news that any industrial relations minister would like to be able to give.

As members may recall, in March of this year my predecessor informed the house about South Australian developments towards achieving the nationally agreed target on reducing workplace harm. This target is for all states and territories to achieve a 40 per cent reduction in injury claims by 2012, as agreed to under the National Occupational Health and Safety Strategy 2002-2012. In March, South Australia had just recorded a 36.5 per cent improvement in injury reduction, which had exceeded the required benchmark at that point of 28 per cent.

Today, I am pleased to inform the council that the latest edition of Safe Work Australia's Comparative Performance Monitoring Report has now been released and it reveals that South Australia is the only jurisdiction to have met the required rate of improvement in the incidence rate of injury and musculoskeletal claims between the base period (2000-01 to 2002-03) and 2009-10.

To reach the nationally agreed target, each of the jurisdictions would needed to have recorded a 32 per cent improvement from the base period by the end of June last year. South Australia recorded a 39 per cent improvement and continues to lead all other jurisdictions as we progress towards the nationally agreed target. This latest result is a clear demonstration that the proactive injury prevention initiatives that have been undertaken by SafeWork SA are achieving results. These proactive injury prevention initiatives include SafeWork SA's Industry Improvement Program and events such as the recent Safe Work Week.

The Industry Improvement Program is SafeWork SA's key proactive injury prevention initiative. Under this program, employers are engaged in a range of intervention strategies that build workplace capability to prevent work-related injuries and illness. The Industry Improvement Program addresses priority industry sectors and priority risks through a targeted intervention approach. It aims to assist businesses to reduce the incidence and cost of work-related injury and illness by 4 per cent per annum in support of South Australia's Strategic Plan target 21—Greater safety at work, the National Occupational Health and Safety Strategy 2002-12, and the memorandum of understanding between SafeWork SA and WorkCover SA.

Significant reductions in injury have been achieved for the various cohorts each year, including a combined reduction of 11 per cent for target cohorts (small business) in the 2010-11 year compared with 2009-10. Another proactive injury prevention activity is the SafeWork event. The annual Safe Work Week, which was held in the last week of October and coincides with the national Safe Work Australia Week, is South Australia's premier event to educate the community on the need to stay safe at work. This year's program consists of more than 70 free information sessions that were attended by over 3,600 people on issues such as the proposed model work health and safety laws, as well as specific workplace safety matters like manual handling, hazardous chemicals and risk management.

Proactive programs, such as the Industry Improvement Program and Safe Work Week, operate in conjunction with other assistance, education and compliance activities undertaken by SafeWork SA inspectors to improve safety outcomes in workplaces across all industry sectors within South Australia. It is hoped that once we get the new work health and safety laws, which have been delayed for a few months, through this parliament in good order we would be seeking, hoping or expecting these figures to be reduced even further.

MOTOR VEHICLE REGISTRATION DATABASE

The Hon. R.L. BROKENSHIRE (14:58): I seek leave to make a brief explanation before asking the Minister for Communities and Social Inclusion, representing the Minister for Transport and Infrastructure, a question concerning the motor vehicle registration database.

Leave granted.

The Hon. R.L. BROKENSHIRE: Information has come to my attention over the last 48 hours that some private car park operators are imposing what purport to be expiation notices on South Australians for infringing their private car parking provisions. The trouble with these notices is that they are not expiations by statute law but in fact notices of enforcement of contract conditions between the car park owner and the motorist.

Be that as it may, constituents allege that the means by which this notice is being sent to motorists is by photographic recognition technology of the motorist's numberplate and then cross reference with their registration details. My question to the minister is: will he look into and advise the house of the checks and balances in protection to ensure that private companies and individuals do not have access to confidential details regarding the name and address of people registered with the Registrar of Motor Vehicles?

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (14:59): I thank the honourable member for his important question. I undertake to take that question to the responsible minister in the other place and seek a response.

POLICE INVESTIGATIONS

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (15:00): I table a copy of a ministerial statement made by the Hon. Grace Portolesi, Minister for Education and Childhood Development, in another place on the allegation of police and Special Investigations Unit investigation.

QUESTION TIME

REGIONAL TOURISM

The Hon. J.S. LEE (15:00): I seek leave to make a brief explanation before asking the Minister for Tourism questions about regional tourism.

Leave granted.

The Hon. J.S. LEE: On Friday 4 November, Tourism Industry Council Chief Executive, Mr Ward Tilbrook, said on ABC radio:

Our tourism is quite flat at the moment; we need to be developing new news and new stories and developing our regional offering.

In the *Sunday Mail* of 6 November, it was stated that outback tourism faces a tough time ahead as the type of traveller changes.

Even the popular *Lonely Planet* travel guide, in its latest edition, described several regional destinations in South Australia as 'ugly, desolate and baking hot'. The travel guide called Whyalla ugly because it has well preserved domestic architecture. Kadina was depicted as baking hot but having a slew of pubs, car yards and petrol stations, and the Riverland and the Murray Mallee as being the best places for casual harvest jobs but not pumping tourist destinations.

The minister spoke about the Best Backyard campaign in this chamber recently. She said that it has been designed to remind South Australians why they should take a holiday or break in their own town. My questions are:

1. While we may like to think that our own backyard is the best, can the minister outline how the government is going to tackle regional South Australia's wider image problems which have been painted by travel guides such as *Lonely Planet*?

2. Does the minister agree that the government is not doing enough to promote tourism in regional areas and, if so, what action will she take to address issues raised by the Tourism Industry Council?

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (15:02): I thank the honourable member for her most important questions. It is always disturbing to see people talking down this state and focusing on those areas we could improve on rather focusing on our great achievements and our success stories. I think that is a real shame. I think that too many South Australians and, in particular, members opposite, talk down this state.

I have spoken at length about the work we have been concentrating on around tourism here in South Australia and also the regions. I have already spoken at length in this place about our main focus and priority being on intrastate tourism and also about our Best Backyard campaign and other campaigns.

We do quite a lot in developing and assisting tourism in our regions. For instance, we currently have 12 tourism regions in South Australia: Adelaide, Adelaide Hills, Barossa, Clare, Eyre Peninsula, Fleurieu Peninsula, the Flinders Ranges, the outback, Kangaroo Island, the Limestone Coast, the Murraylands, the Riverland and Yorke Peninsula.

In 2010-11, SATC undertook a major review of regional tourism arrangements under the Regional Tourism Growth Plan, the first such review, I think, in over a decade. That is how much the previous opposition cared. The review led to major changes in regional structure, which commenced in July this year. As part of the changes under that plan, 11 specialist positions, I have been advised, have now been filled. The new specialist positions are focusing on regional marketing campaigns targeted at South Australians, supporting operators to become bookable on line, assisting visitor information centres and developing game-changing new experiences and infrastructure.

I am advised that the new model involves a much higher level of integration of all SATC areas of expertise and resources in the development and marketing of regions. In 2010-11, the regional tourism organisations received \$2.28 million from SATC. In 2011-12, SATC's regionally-focused expenditure stands at \$2.31 million. In fact, under this new model we have been able to refocus regional intrastate marketing expenditure, and this has actually increased significantly. That expenditure is up from \$662,000 in 2010-11 to \$1.4 million in 2011-12. That is marketing expenditure, as I said, particularly refocusing on regional intrastate marketing. That is a significant increase.

SATC has also initiated a new way of resourcing regions through its destination action plans (DAPs). DAPs are simple, focused, consumer-led action plans for each region of South Australia that align resources from SATC units and regional stakeholders. The DAPs address filling gaps in six strategic areas, things like experiences, events, infrastructure (particularly accommodation), marketing, access and sales and distribution. Each DAP is negotiated with regional stakeholders during two in-region meetings, usually held a number of months apart so that work can be done in between times, and I am advised that the DAP approach is drawing very favourable responses from regions. Certainly, the feedback so far has been quite positive.

The DAPs are also involved in closer alignment with the state's Regional Development Australia network, and that is obviously a SATC priority as part of driving regional tourism forward. RDAs are closely involved in the new arrangements in most regions to further generate positive momentum in regions, and SATC has offered funding directly to RTOs via grants of up to \$20,000 per region under a once-only destination development fund. Grants are shortly to be made to almost all regions for a wide range of different projects.

Successful projects include several web-based initiatives, several interpretative training and planning projects, a scoping study of how the outback can continue to flourish after the water leaves Lake Eyre (because we know that is a big attraction), pre and post conference programs, a regional brand development strategy, and an itinerary planning project. We can see that there is a great deal of activity and planning, as well as considerable expenditure, on developing tourism, particularly for our regions. As I said, I think we should be more focused on talking up our state, not talking it down. If we really want to help tourism, we should be out there talking South Australia up.

The PRESIDENT: The Hon. Mr Stephens has a supplementary.

REGIONAL TOURISM

The Hon. T.J. STEPHENS (15:08): Which regions have given a positive response regarding the DAP? Name them.

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (15:08): I think we have received positive feedback from almost all of them. I think from most of them we have received at least some form of positive feedback.

REGIONAL TOURISM

The Hon. T.J. STEPHENS (15:08): I have a further supplementary question. Minister, you boasted about the 11 positions you are partly funding in the regions. Do you realise that you withdrew 20 permanent full-time positions?

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (15:08): I have just gone to great lengths to explain the review, the restructure and the far more efficient and effective use of resources to focus a stronger approach on our regions throughout South Australia. I think that is a prudent and responsible use of South Australian taxpayers' money. It is producing more expenditure—as I have just outlined—on marketing for the regions than what occurred previously. The honourable member should be thanking me and the agency for its very prudent and responsible management of resources.

REGIONAL TOURISM

The Hon. T.J. STEPHENS (15:09): Given that intrastate tourism is down by 25 per cent, will you now acknowledge that your strategies are an abject failure?

The PRESIDENT: Order! The honourable minister does not have to answer such a provocative question towards this great state.

Members interjecting:

The PRESIDENT: The honourable minister.

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (15:10): The—

Members interjecting:

The PRESIDENT: Order!

Members interjecting:

The PRESIDENT: Order! Sit down, minister.

The Hon. G.E. GAGO: I want to get back up again. I have not answered the question.

The PRESIDENT: When they be silent, the minister will answer. You've got your questions.

The Hon. G.E. GAGO: I am very keen to have a go at answering—well, not have a go, I have already answered this. I have already answered this question on several occasions previously and have answered it again today. I cannot believe the honourable member—he really needs to wash out his ears. He sits there, a total waste of space. He is clearly not listening. I have just outlined a recent strategy.

Truly, what a waste of space he is over there. He is simply not listening. I have outlined a recent review, a very recent restructuring and a regional plan that has very recently been put in place. These things have only just been put in place; they have only just been initiated. The honourable member is referring to trends that go back over a number of years. We have responded to this; we have put a strategy in place.

The Hon. J.S.L. Dawkins: How many ministers have you lot had?

The Hon. G.E. GAGO: We're asked how many ministers—we've had less ministers than they've had opposition leaders.

The Hon. R.L. BROKENSHIRE: Supplementary, Mr President.

The PRESIDENT: I think I'll call the Hon. Mr Stephens. He's got to improve.

REGIONAL TOURISM

The Hon. T.J. STEPHENS (15:12): Given that intrastate tourism is down by 25 per cent, will the minister commit to having the *South Australian Shorts* booklet ready for the AFTA travel fair in February and do something positive for tourism?

The PRESIDENT: Order!

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (15:12): Thick as! I have already answered this question previously here in this place. I have already said that we are reviewing—

The Hon. T.J. Stephens: You have not given me a commitment.

The Hon. G.E. GAGO: I have.

The Hon. T.J. Stephens: No; you have not.

The PRESIDENT: Order!

The Hon. T.J. Stephens: You have not given me a commitment.

The Hon. G.E. GAGO: What a waste of space he is!

The PRESIDENT: You probably haven't heard it because you've been making too much noise.

The Hon. G.E. GAGO: I have clearly put on the record that we are reviewing that booklet. I have already put that on the record here. I have indicated that we are looking at what might be the most suitable way of communicating the information that we need, given the strategy that I have just outlined here. It may be a refreshing of *Shorts*. It may be something else rebadged in a slightly different way, or a total new re-look.

I have already given that information in this place before. The honourable member asked the question; I gave him that information. He clearly cannot retain any information for more than a nanosecond. I want Hansard, if they can, to put this in bold in *Hansard* so that at least the honourable member might be able to read it at his leisure.

The PRESIDENT: The Hon. Mr Brokenshire has a supplementary.

REGIONAL TOURISM

The Hon. R.L. BROKENSHERE (15:13): One that I think you will be interested in too, sir. Given the minister's answers regarding her government's commitment to tourism and particularly regional tourism—

The PRESIDENT: Without the comment; straight to the question, please.

The Hon. R.L. BROKENSHERE: Can the minister explain how the extended ban on snapper fishing over Christmas on Yorke Peninsula will assist regional tourism?

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (15:14): It is completely not relevant to this question. It is not relevant to the original answer. I am more than happy to answer the question. I am happy to waste members' question time if they want. We know that we have a strategy to manage our fish stock. We know that snapper is a very popular fish both commercially and also recreationally.

I cannot imagine that the honourable member is really suggesting that we do not manage fish stock in a sustainable way. I do not really believe that the honourable member is coming into this place and suggesting for one minute that we should just open up our waters to commercial and recreational fishers and allow this precious fish stock to be fished out and become extinct. Unfortunately, we have far too many examples of species that have become extinct in our lifetime.

He calls himself a man from the bush, and I cannot believe that he is really saying to me that we should lift all restrictions—bag limits and all of the limited fishing times.

The Hon. R.L. Brokenshire: I didn't say that. Read the front page of the *Country Times*. They are worried about tourism.

The Hon. G.E. GAGO: Well, there are a number of management strategies that we use. We use a number of different strategies, and we balance those strategies to try to maximise access for our local recreational fishers. I think recreational fishing is one of the highest rates of activity around. Something like 16 per cent of our population—I stand to be corrected, but I think it was 16 per cent—in South Australia are recreational fishers at some time. It is an incredible proportion.

We try to weigh up the public amenity and tourism considerations, but we also weigh up the importance of snapper and other fish as very important commercial food stock. As I said, we

manage these, and we manage these very carefully in a responsible and sustainable way. I do not really believe the honourable member is suggesting for one minute that we abandon all our management strategies so that people can come in from overseas and interstate and fish out our snapper stock to extinction. Is that what he is really suggesting?

HOUSING SA ANNIVERSARY

The Hon. CARMEL ZOLLO (15:17): My question is to the Minister for Social Housing. Can the minister inform the chamber what is being done to celebrate the 75th anniversary of Housing SA?

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (15:17): I thank the honourable member for her very important question. On 3 December 1936, the South Australian Housing Trust Act was assented to in the South Australian parliament and became the first public housing authority in Australia. This year marks the 75th anniversary of public housing in South Australia. In recognition of this, an exhibition of paintings, photographs and other housing memorabilia have been collated and placed on show at the Adelaide Town Hall for viewing by the general public.

Over the years, the former Housing Trust library has collected and held many items of importance which are relevant in preserving the history of public housing in South Australia. In November 2005, the Housing Trust memorabilia collection was officially launched by the then housing minister, the Hon. Jay Weatherill. The memorabilia collection is managed by a small group of volunteers who are former employees of the Housing Trust, and their ages range from 64 to a sprightly 81 years.

These volunteers meet each fortnight for two hours to view items of significance and select items that should be added to the collection. The collection includes items such as the original Housing Trust seal, the gold tap used by Queen Elizabeth to turn on a fountain that opened Elizabeth in 1963—I am thinking of having that tap installed in my own bathroom and see if it is actually a gold tap or just gold plated (installed on trust, of course)—and drawings and photographs of the first houses built for the trust in Rosewater back in 1937.

These volunteers have been instrumental in putting together the exhibition at the Town Hall and they will all be invited to attend the celebration afternoon tea arranged to mark the occasion on Friday 2 December 2011. Approximately 100 people have been invited to the event, including Housing SA tenants, board members, members of parliament, housing leadership group members and long-serving Housing SA staff.

The exhibition is currently open each day to the general public, between 8.30am and 5.30pm, and is free. I encourage anyone with an interest in the history of public housing to visit and get a look at some of South Australia's great social history.

CONCESSION SCHEMES

The Hon. T.A. FRANKS (15:19): I seek leave to make a brief explanation before asking the Minister for Communities and Social Inclusion and Minister for Social Housing a question on concessions.

Leave granted.

The Hon. T.A. FRANKS: The Council on the Ageing's Chief Executive, Ian Yates, is reported as having raised concerns that South Australian state-administered concessions schemes have failed to meet the needs of desperate pensioners and other low-income earners with the spiralling cost of living. My office, and no doubt many offices of MLCs in this chamber, have been contacted by constituents who are concerned that federal pension increases intended to assist with covering the cost of living increases have been targeted by this state government and clawed back. The changes to the commonwealth rent assistance for community housing tenants is, for many, the last straw. With pensioners struggling, as I say, to afford the basics of essential services such as electricity, gas and water and the significant health implications that this has, my questions are:

1. Will the minister support a federal takeover of existing state-based concession schemes to ensure a more effective, consistent and compassionate approach than that given, and that what is given by the federal government is not clawed back by this state government, and that pensioners and other low-income recipients are not further disadvantaged?

2. If the minister does not support that course of action, can he then commit this government to introduce legislation or policy to ensure that concessions are indexed to the CPI to ensure that recipients are not simply left behind by rising prices?

3. At a minimum, can the minister also give an undertaking to review the consistency and adequacy of the state government's policy on concessions to ensure that some of our state's most vulnerable are not left behind by this government?

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (15:21): I thank the honourable member for her very important question. The South Australian government provides eligible applicants with a range of concessions towards public transport and household costs, including energy, water, sewerage, council rates and the emergency services levy on fixed property. An increase in the rates and eligibility criteria for a range of concessions commenced on 1 July 2010.

Holders of Centrelink low-income Health Care Cards are eligible for energy and emergency services levy concessions, building on an earlier decision to extend the water and sewerage concessions to this group. From 1 July 2011 the water concession increased from 20 per cent of the total annual water bill to 25 per cent of the total annual water bill within prescribed minima and maxima. The minimum water concession for homeowners increased to \$100 per annum from 1 July 2010 and will peak at \$155 per annum in 2012-13. The maximum increased to \$210 per annum on 1 July 2010 and will extend to a maximum of \$265 per annum in 2012-13.

For tenants, the minimum water concession increased to \$58 per annum from 1 July 2010 and will peak at \$90 per annum in 2012-13. The maximum increased to \$168 per annum on 1 July 2010 and will extend to a maximum of \$200 per annum in 2012-13. Concession rates for energy, sewerage and the emergency services levy fixed property, will increase by 5 per cent per annum until 2012-13. The energy concession maximum increased to \$150 per annum on 1 July 2010, reaching a maximum of \$165 per annum in 2012-13. Sewerage concessions increased to \$100 from 1 July 2010 and will reach \$110 in 2012-13. The emergency services levy fixed property concession increased to \$42 per annum from 1 July 2010 and will reach \$46 per annum in 2012-13.

No changes have been made to the eligibility criteria and rates for council concessions. These concession increases supplement the government's announcement in July 2009 to provide holders of a valid Seniors Card free public transport between 9.01am and 3pm on weekdays, weekends and public holidays, in addition to the 50 per cent reduction at all other times. The 50 per cent reduction on public transport ticket price for other eligible Centrelink pensioners and beneficiaries will continue.

A new medical heating and cooling energy concession will be implemented on 1 January 2012 to assist people on low or fixed incomes who incur high electricity costs because of their medical need to use air conditioners and/or heaters on a frequent or prolonged basis. The new flat rate concession of \$158 per annum will be available to eligible applicants, in addition to the current energy concession of \$158 per annum. This concession will increase to \$165 per annum on 1 July 2012. The new arrangements have been integrated into ongoing work to implement a new concessions processing system.

I put all those figures on the record to indicate just how much the state Labor government is committed to supporting those on low incomes and those in need. We will continue to supply concessions to those who meet the eligibility criteria because we know, as a government, that our job is to help those people meet the rising cost of living.

FIRST HOME OWNERS GRANT

The Hon. R.I. LUCAS (15:25): I seek leave to make an explanation before asking the minister representing the Treasurer questions about the home savings boost grant.

Leave granted.

The Hon. R.I. LUCAS: I have been contacted by a constituent who signed a building contract on 10 September 2009 which meant they were eligible for the \$14,000 home savings boost. That contract was terminated by the builder on 30 March 2010 outside the home savings boost period which meant they therefore lost their eligibility for that particular grant. I have a copy of a letter this constituent, David Rogers, has written to the Treasurer in his role as Minister for Employment, Training and Further Education. He wrote:

I am writing to you again about the loss of our Home Savings Boost payment of \$14,000 caused solely by your own Public Servant who was inappropriately running a private house building business during Public Service working hours from within the TAFE area of your Department of Further Education, Employment, Science and Technology whilst collecting a Government salary as follows:

The letter continues:

The private building business was run from inside your Government Office over several years and included using an official Government TAFE email address, other Government resources and the Government Office as a private building office during working hours to order house building materials from private building suppliers and to engage subcontractors.

The Public Servant concerned was emailing and phoning private house building clients during Government working hours regarding progress on the building of their house etc, from within the Government Office, also using an official Government email address.

This Public Servant was using Government equipment in the Government office during Government working hours including use of the Department's photocopier to copy hundreds of private house building documents for submission to Local Council for building approval etc.

Given the time I will not be able to read all of the letter, but further on, point 7 states:

However, when this Public Servant ran into difficulties with the two other houses being built during Government working hours, this Public Servant told us there was no time to continue with our house because the problems with the other houses were consuming all available time...after all there are only so many working hours available to conduct a private house building business within a Government Office...whilst trying to fit in the Public Service duties!!!

Then in point 9 of the letter:

Despite our pleading with this Public Servant—

who was the builder—

to not cancel our Building Contract, because we would lose our entitlement to the \$14,000 home savings Boost, this Public Servant went ahead and terminated our Building Contract (after having commenced our house) with full knowledge of, but no regard for, the financial problems it would cause us in loss of the Boost payment.

The Hon. R.P. Wortley interjecting:

The Hon. R.I. LUCAS: No, we are taking it up with the government. I have a copy of a letter from Mr Ray Garrand, the chief executive, to Mr David Rogers, dated October 2010, which states:

I refer to your correspondence...providing information alleging that Ms Lily Zenere, an employee of this department was operating a 'house building business' from within a campus of TAFE SA Adelaide North. The Premier and Minister Snelling would like to thank you for bringing this matter to their attention and have asked that I respond to you directly on their behalf.

Further in the letter:

An investigation has concluded that Ms Zenere has conducted some outside activities, without authority, that are unrelated to her duties as a Quality Officer for TAFE SA Adelaide North Institute. Ms Zenere has been instructed in writing to cease such activities immediately and I have requested that she be closely managed to ensure ongoing compliance.

My questions are:

1. Why was no significant disciplinary action taken against the Public Service employee, given the circumstances outlined and conceded by the chief executive of her department, Mr Ray Garrand?
2. Does the government accept that the actions of one of its officers has meant that a young couple has been denied eligibility for the \$14,000 home savings boost?
3. Will the Treasurer or the Minister for Finance (it is possibly the Minister for Finance's section now) reconsider their application or consider an ex gratia payment to this young couple?

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (15:29): I thank the member for his questions and I will refer them to the appropriate ministers in another place and bring back a response.

ANSWERS TO QUESTIONS**AIRCRAFT CONTRAILS**

In reply to the **Hon. A. BRESSINGTON** (29 November 2011).

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers): The Minister for Sustainability, Environment and Conservation has advised:

1. The Environment Protection Authority has advised that the trails emanating from high altitude jets are a result of condensation.

2. & 3. The phenomenon described in the member's question is commonly referred to as contrails or vapour trails. I am advised that these trails are condensation left by jet aircraft that are flying at an altitude where the heat of the craft's exhaust combines with cold air and low vapour pressure to create water droplets.

4. As there is no spraying activity, no monitoring is necessary.

CORRECTIONAL SERVICES (MISCELLANEOUS) AMENDMENT BILL

In committee.

(Continued from 30 November 2011.)

Clause 59.

The Hon. S.G. WADE: I thank the minister for reporting progress on this matter last night. As per the understanding, the opposition has consulted parliamentary counsel and other officers. In that context, it would be of assistance to the opposition, and I hope of assistance to other members, if I could ask some questions of clarification of the minister as to the origin of the provision and how it would operate in practice. I will ask the minister a question and then, if you like, do a House of Assembly explanation after the question.

The question is: is the primary purpose of section 85CA to ensure that health workers providing information are not in breach of the confidential requirements under the Health Care Act or the Mental Health Act? At the government briefing on the bill, the opposition was advised that the primary purpose of section 85CA is for that purpose, particularly in relation to section 93 of the Health Care Act and section 106 of the Mental Health Act. The minister mentioned both of those sections in her comments last night. I understand that the context is that the issue was highlighted by the Deputy State Coroner in the coronial inquest into the death of Laura Parker. Recommendation 3 stated:

That the Minister for Health and the Minister for Correctional Services introduce such legislation as may be necessary to overcome the confidentiality considerations in respect of the implementation of Recommendations 1) and 2).

Recommendations 1 and 2 relate to protocols and procedures for the sharing and storing of information.

The Hon. G.E. GAGO: I have been advised the answer is yes, that is the primary purpose.

The Hon. S.G. WADE: The Health SA response to the coronial inquest into Laura Parker highlighted a series of provisions already in the act which would allow people to provide information. My question is: does the government understand that section 85CA would have any additional benefit to people other than the chief executive? The sort of people I am thinking of are a prison health service nurse in the Adelaide Remand Centre faced with the dilemma of whether or not to provide confidential information to a DCS prison guard. Would that person be needing to rely on the provisions of the Health Care Act and the Mental Health Act, or would section 85CA provide some additional assistance? I presume that would only be the case if, in exercising their role, they were acting as a delegate of the CE. Are there delegations or procedures in place such that a nurse may benefit from section 85CA?

The Hon. G.E. GAGO: I have been advised that the act compels the sharing of information with Correctional Services. There are joint system protocols between Health and Correctional Services and those protocols outline the responsibility of each agency for the sharing of information. So, in relation to the example the honourable member gave with the prison health

nurse, the nurse would be guided by the protocols but it would be the legislation that would enable the appropriate sharing of information.

The Hon. S.G. WADE: If I could perhaps step back to the Mental Health Act and the Health Care Act, the Mental Health Act under section 93(3)(a) states, to paraphrase it, that a person does not breach their duty for confidentiality if they are disclosing information as required by law. Does the minister's previous answer suggest that section 85CA does apply to a nurse such that, in providing information to a DCS officer in the unit, they are complying with the law or, for example, is the nurse providing information that is reasonably required for the treatment of the person under the Health Care Act, section 93(3)(d)(i) 'disclosing information to a health or other service provider', which includes DCS 'if the disclosure is reasonably required for the treatment, care or rehabilitation of the person to which the information relates'. To put it in summary terms, would the nurse be relying on the Health Care Act section or on the legislative requirement established under section 85CA?

The Hon. G.E. GAGO: I have been advised that the Health Care Act does not prevent, in the example the member gave of the nurse, the disclosing of information as required by the law. Section 85CA will enable the disclosure of relevant information to the CE of Corrections.

The Hon. S.G. WADE: So, the answer is yes, it does empower the nurse?

The Hon. G.E. GAGO: The answer is yes, qualified by my previous answer.

The Hon. S.G. WADE: The advice Health gave in response to the Coroner's report is that they thought their employees already had power. In fact, they specifically said that they did not see the need for legislative change. I do not dispute the government's policy decision, through cabinet, to come to the parliament with this bill. I suppose the main point I want to clarify is: does this provide additional confidence to nurses and other health staff? My understanding from the minister's answer is yes, and I welcome that.

If I can now move on to the exercise of the discretion, I have been advised that the determination of what is required to be disclosed is a determination by the mental health or the health agency. I remind members that the threshold is 'such personal information about a prisoner as is reasonably required for the treatment, care or rehabilitation of the prisoner'. I presume that 'reasonably required' is an assessment of the agency that has the information, and I seek an assurance from the minister that that is her understanding, too.

The Hon. G.E. GAGO: I have been advised that that is correct.

The Hon. S.G. WADE: In that context, it may well be that information the person considers is not true and is not helpful for the treatment of the prisoner would be withheld by the officer. By the same ilk, it may be that information that is untrue—for example, a person with a mental health issue and reports about their psychotic delusions—might nonetheless be provided, even though it is untrue, because the health agency assesses that it is relevant to the treatment of the prisoner.

This goes back to our conversation last night, and discussions with officers highlighted the problem of truth in this context. However, the fundamental point that the opposition was trying to make last night is, if you like, the primacy of the health needs of the prisoner. My understanding is that, if the 'reasonably required' is an assessment for the mental health unit, that that can be balanced.

In that context, subsection (2) provides that protocols or guidelines may be established for the purposes of that section. I note that the Coroner made recommendations about protocols and procedures, and I note that the agencies had protocols and procedures in place even before the Coroner's ruling. They are joint protocols; in fact, I do not even know if they are authorised by the minister. I suppose what I am wondering here is, considering this act is committed to the Minister for Correctional Services, whether that reference to protocols and procedures only deals with protocols and procedures with ministerial imprimatur or is it any protocol or procedure of Health, Correctional Services or joint? Considering that the main operational protocols are joint, are they covered by this clause?

The CHAIR: I thought we were going to sort this out last night. Isn't that why we adjourned?

The Hon. S.G. WADE: I believe we are making progress, but if you have a different view you can act accordingly.

The Hon. G.E. GAGO: The advice I have received is that protocols are not as high documents as the honourable member might think. They are operational documents that are signed by the chief executives, not by the minister.

The Hon. S.G. WADE: I do not object to that at all as long as this section would cover them, as long as this section would give them authority.

The Hon. G.E. GAGO: My advice is yes.

The Hon. S.G. WADE: In that context, if a person does not disclose information and was acting in some way in accord with the protocols or guidelines under (2), would that person be taken to have met their duty to disclose under (1)? I suppose what I am saying is: what is the relevance of (2)?

The Hon. G.E. GAGO: I have been advised that the two subsections have to be consistent, but subsection (2) is subordinate to subsection (1), and they have to aid in the manner to establish a scheme for the day-to-day decision-making. I believe that we have really dealt pretty extensively with matters relating to this particular amendment that the member is proposing. These are quite technical questions that really require parliamentary counsel. If the honourable member wants to consult with parliamentary counsel, I invite him to do that, but I think it is time that we move on. I think we have dealt extensively with the matters surrounding this amendment.

The Hon. S.G. WADE: I do thank the minister for her patience up to this point. I only have two more questions.

The CHAIR: You have an amendment in front that you have moved.

The Hon. G.E. GAGO: I think we need to move on. Let's move on.

The Hon. S.G. WADE: I only have two questions, and if the committee wants to guillotine me, then it can move accordingly. I want to go back to the answer the minister gave earlier. She told me that the protocols do not need to be ministerial level, but I would like clarification. Are the protocols of Health and the joint protocols covered by subsection (2)? I did not get an answer to that question.

The Hon. G.E. GAGO: I have been advised that the answer is yes.

The Hon. S.G. WADE: So the protocols and procedures do include Health and joint?

The Hon. G.E. GAGO: Yes.

The Hon. S.G. WADE: I thank the minister for those comments. In that context, if I could reiterate, the council has been assured that the judgement required as to whether it is reasonably required is that of a health or mental health agency, and that that decision will be informed by, if not controlled by, protocols by Health SA and joint protocols by Health SA and DCS.

On the basis of these assurances, the opposition understands that the current provisions do not compel health officers to provide information which is untrue, unless, in the health sector's estimation, to do so is reasonably required for the treatment, care or rehabilitation of the prisoner. The minister might disagree if that is not a correct understanding, but that is our understanding from the discussion we have just had.

In that sense, it is possible the information which is not true may nonetheless be of relevance to the treatment or care of the prisoner. We accept that, having had discussions with officers. On the basis of that understanding, the opposition seeks leave to withdraw its amendment.

Leave granted; amendment withdrawn.

The Hon. S.G. WADE: My further amendment is consequential and I will not be moving it.

Clause passed.

Remaining clauses (60 to 64), schedule and title passed.

The Hon. G.E. GAGO: I move:

That the bill be recommitted to examine clause 21.

The Hon. S.G. WADE: I would like to speak against that. By way of explanation, the opposition in good faith has looked at ways of trying to provide a requirement that victims of domestic violence need to seek the consent of the chief executive before they have access to a prisoner. We thank the officers, including parliamentary counsel, who worked with us. We have

been back to the industry, if you like, to discuss what would work. It is not clear to us that there is a workable arrangement, so we do not intend to clutter legislation with provisions that cannot be implemented. We do record our interest in pursuing that as a policy objective going forward and hope that there might be a model that emerges in due course. I would suggest to the minister that perhaps an appropriate course might be to withdraw that motion.

The Hon. G.E. GAGO: I seek leave to withdraw my motion.

Leave granted; motion withdrawn.

Bill reported with amendment.

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (16:00): I move:

That this bill be now read a third time.

Bill read a third time and passed.

ABORIGINAL LANDS TRUST

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (16:01): I move:

That this council, pursuant to section 16(1) of the Aboriginal Lands Trust Act 1966, recommends that sections 993 and 995 to 998 (inclusive), out of hundreds (Nullarbor), be transferred to the Aboriginal Lands Trust.

I will be brief. I am advised that the Aboriginal Lands Trust has been working with Housing SA to implement a new approach to the management of residential housing on land owned by the Aboriginal Lands Trust. This new housing program, I am told, is funded by the commonwealth government and provides an income stream for redevelopment of housing and new housing for ALT residential communities. As part of this program, land surveys have been undertaken to establish the location of housing on ALT land so that proper tenure arrangements can be established for the Housing SA program.

The survey of housing at Yalata revealed that a portion of the housing estate had been inadvertently established on crown land. A licence had been issued to the Yalata council but this tenure does not meet the commonwealth requirements for tenure certainty. With the agreement of the Yalata council, arrangements are being established to transfer this crown land to the ALT for merger into the title that is generally known as the Yalata Reserve.

I am advised that the Yalata council has been supportive of this approach. It has already shown its leadership by being an early participant in the new housing arrangements. Once the title has been settled, Housing SA will have the appropriate security of tenure to deliver a housing management program in cooperation with the Yalata council. I commend the motion to the house.

The Hon. T.J. STEPHENS (16:02): I rise on behalf of the opposition. We have obviously done investigations into this, and I would like to make a couple of points. We are quite disappointed that this motion was passed in the lower house without any explanation. Given that this was not on our list of priorities or something that was to be debated this week, we are a little disappointed that perhaps this is going to go through today without us having the opportunity to fully consult any interested stakeholders.

Nonetheless, I thank minister Hunter for organising, at short notice, a briefing for me. I have consulted with a number of my colleagues who have a keen interest in anything to do with Aboriginal affairs. Our preference would be for this motion to be dealt with when we come back in February, but it is my understanding that I might not have the numbers to organise that.

As I said, I have done some investigations, and it does look as though this is a tidy-up of a bureaucratic oversight. With those few words, I will not be supporting the motion, but I want to register my disapproval of the way this matter was handled by the government in the lower house.

The Hon. T.A. FRANKS (16:04): I rise on behalf of the Greens to indicate that we will be supporting this motion. Certainly, it will be a good thing to settle the title so that Housing SA and the Yalata council can get on with ensuring appropriate security of tenure under the commonwealth arrangements. I cannot let this go without making some comment that there was not a single piece of information in the *Hansard* about what this motion actually entailed.

	2003-04 ¹ Actual (\$'000)	2004-05 Actual (\$'000)	2005-06 Actual (\$'000)	2006-07 Actual (\$'000)	2007-08 Actual (\$'000)	2008-09 Actual (\$'000)	2009-10 Actual (\$'000)	2010-11 Estimated Result ² (\$'000)	Total (\$'000)
Investing Expenditure									
State Black Spot Program	7,000	5,213	4,811	3,815	5,039	4,489	5,569	6,052	41,988
Level Crossing Safety Upgrade	-	-	3,145	2,497	2,481	1,796	561	578	11,058
Responsive Road Safety Program	2,207	2,096	1,938	2,092	2,532	2,390	2,785	3,499	19,539
Mass Action	996	-	901	-	1,138	-	-	-	3,035
Overtaking Lanes Program	-	-	5,973	3,942	-	-	-	-	9,915
Shoulder Sealing Program	6,800	7,049	1,215	-	7,880	8,945	9,539	5,924	47,352
Long Life Roads	-	-	-	-	3,127	929	17	-	4,073
Rural Road Safety Program	-	-	-	-	-	4,606	6,471	7,560	18,637
Reaching the Road Safety Target-Safety Camera Program	-	-	-	3,202	-	1,528	1,407	1,207	7,344
Subtotal-Investing Expenditure	17,003	14,358	17,983	15,548	22,197	24,683	26,349	24,820	162,941
Balance Sheet Adjustments	-	-	-	3	1,058	1,033	-1,971	-825	-702
Total Expenditure	38,484	58,486	59,315	66,785	74,857	76,659	73,919	77,159	525,664
Closing Balance	276	468	463	2,745	1,894	3,376	9,584	12,545	

¹ The CRSF was established 1 July 2003

² Subject to finalisation of 2010-11 financial statements

³ The CRSF is currently funded by an appropriation from DTF

The Hon. R.L. BROKENSHIRE: I move:

Page 2, lines 4 and 5—Delete the clause and substitute:

2—Commencement

- (1) Subject to subsection (2), this Act will come into operation on a day to be fixed by proclamation.
- (2) Sections 4(5) and 5 will come into operation on 1 July 2012.

The situation is that lots of people have said to me for some time that, if we are serious about road safety, we should be up-front on signage and that we should say to people that they are approaching an area where speed cameras are operating or an intersection where there are red

lights and speed cameras, etc. In fairness to the government, these signs have voluntarily been put up with respect to—

The Hon. D.W. Ridgway: Are you doing No. 1?

The Hon. R.L. BROKENSHERE: Sorry, I have read the wrong one.

The Hon. D.W. Ridgway: This is about the date of commencement.

The Hon. R.L. BROKENSHERE: Yes, and this amendment says that it does not come in until 1 July 2012 and not immediately upon passage of the bill. The proposal is that, as this is the government wanting to bring this in upon passage of the bill, my amendment says that it will commence from 1 July 2012.

The Hon. D.W. RIDGWAY: In the interest of speeding things up, I indicate that the opposition is prepared to support the Hon. Robert Brokenshire's amendment.

The Hon. M. PARNELL: The Greens are opposing this amendment.

The Hon. I.K. HUNTER: If I can put words into the mouth of the Hon. Mr Brokenshire, I would like to describe what I think his amendments are doing. They prescribe locations for red-light cameras at intersections and level crossings and set requirements for their selection and set-up, that is, they must display a sign, a choice of location—

The Hon. D.W. Ridgway: You are talking about the wrong amendment, too.

The Hon. I.K. HUNTER: Well, I am talking about all of Mr Brokenshire's amendments because they are of a package.

The Hon. D.W. Ridgway: That's very efficient.

The Hon. I.K. HUNTER: The choice of location must be based on injuries and fatalities at an intersection or level crossing. I will do the same for you, David, too, so we can get away earlier.

The minister must be of the opinion that the installation of the camera will discourage red-light offences at a location. Also, his amendments are designed to create a requirement to undertake a five-yearly review of red-light camera locations and report to both houses of parliament on injuries and fatalities at traffic light intersections and level crossing locations in the preceding five years, with reasons for the approval of each camera location, and finally to require the installation of signs to indicate the presence of red-light cameras at intersections and level crossings. The government opposes all Mr Brokenshire's amendments.

SAPOL does not, I am advised, support these amendments. Introducing an obligation to display a warning sign in each location, whether it is a safety camera that detects red-light offences, will mean that in a prosecution SAPOL will have to prove the existence of the sign because the sign becomes an element of the offence that the prosecution has to prove to substantiate that offence. It is SAPOL's view that this amendment will make the legislation virtually unworkable. If that is the design of the opposition, let them say so.

Similarly, SAPOL does not support the amendment, I am advised, that prescribes that the minister must approve the location of photographic detection devices for red-light offences. The minister can only approve the location if injuries or fatalities arising from accidents at that location require the installation of the device to discourage red-light offences at that location.

When prosecuting an offence where a photographic detection device has been used to detect a red-light offence, SAPOL will have to prove that the device has been approved as prescribed in the legislation by the minister, and in SAPOL's view this could create evidentiary difficulties. The proposed statutory requirement to display warning signs at intersections and level crossings at which there is a safety camera mirrors current Department of Planning, Transport and Infrastructure practice.

Placement of advanced warning signage is a DPTI policy which covers all fixed safety cameras used for speeding and red-light offence detection. DPTI publicises camera locations on its website and installs signs warning motorists of the cameras at the approach to the intersection. These locations are also marked in the UBD and Gregory's street directories and on many GPS tracking devices installed in motor vehicles, hand-held navigation devices and smart phones.

Prior to 2009, the Road Traffic Act prescribed that a photographic detection device could not be operated for the purposes of obtaining evidence of the commission of a red-light offence and

a speeding offence arising out of the same incident, except at locations approved by the minister from time to time and notified in the *Government Gazette*.

The requirement was removed by parliament in the Road Traffic (Miscellaneous) Amendment Bill 2009 on the basis that the locations are public knowledge and that an incorrect identification of a site could lead to the undesirable outcome of a prosecution failing on a mere technicality. Site selection for the safety camera programs are determined by DPTI, in consultation with SAPOL, and takes into account crash statistics on a priority basis, with individual site suitability governed by site geometry, road alignment and the presence of obstructions.

Basing the decision to place intersection safety cameras solely on five-year crash information and red-light incidents will have a detrimental effect on the decision-making process for future cameras as it will limit the locations at which a safety camera can be located. Some intersections do not have a five-year crash history, for example; new or recently upgraded intersections will have that problem. In some instances, the installation of a safety camera is necessary as a preventive measure and cannot wait five years until crash statistics are available.

Support of this amendment will provide proactive measures and lead to a system of safety camera approvals that is purely reactive. It is arguable that, due to the extreme danger of running a red light at any intersection, every intersection would benefit from the installation of a safety camera that detects red-light offences.

Introducing a requirement to review all locations of red-light cameras every five years to check that they are still required at each location would create an unnecessary and costly burden. The site selection process for camera locations is consistent with that of other jurisdictions, and findings from the evaluations of independent red-light and fixed speed camera programs in other jurisdictions confirm a positive road safety effect.

Crash rates at intersections fitted with safety cameras reduce over time. The 2011 Monash University report titled 'Evaluation of crash effects of Victoria's fixed digital speed and red-light cameras' highlights this reduction to be 47 per cent for the monitored intersections.

Safety cameras that detect red-light offences have a positive road safety effect but, if a five-yearly review recommended that, due to falling crash rates at an intersection, the safety camera be removed, it is expected that, after the removal of the safety camera, the crash rates would rise again. If the crash rate went up, the next review could recommend the re-installation of a safety camera, resulting in further increased costs for the government.

The following amendments have not yet been moved by the honourable member, but I understand that he will be moving them. What the amendments aim to do regarding the Community Road Safety Fund is to establish a statutory hypothecated fund for road safety by placing the operation of the Community Road Safety Fund (the fund) into the Road Traffic Act 1961; to pay into the fund all expiation fees from camera-detected offences where at least one offence the vehicle appears to have been involved in is a red-light offence, and this will also include speeding while disobeying the red light; to allow the fund to be spent only on road safety initiatives; and to report annually to parliament on the income and expenditure of the fund. The government opposes this amendment, which the honourable member said he will be moving.

These amendments duplicate existing processes, including annual reporting to parliament in publicly-available documents, for example, the Auditor-General's Report and DPTI's annual report. They will reduce the revenue that goes into the fund because, since 2005 and 2006, DTF has appropriated funding in excess of the revenue collected from fixed and mobile speed cameras from the Consolidated Account into the CRSF. Setting up the CRSF as a statutory fund will not change existing arrangements to access the fund as expenditure from the fund would still require approval through the normal budget process.

Finally, the government opposes the amendments still to be moved because the current arrangements ensure that annual funding for road safety expenditure programs is maintained even if the annual revenue from camera-detected expiation fees fluctuates.

The Hon. M. PARNELL: Just to aid the efficiency of the committee, given that the minister has spoken in an omnibus way on all the amendments, I might just put the Greens' position quickly. I have said that we are not supporting the Hon. Robert Brokenshire's amendment No. 1, which relates to the delaying of the date of introduction of this legislation.

I also inform the committee that we will not be supporting any of the Hon. Rob Brokenshire's amendments, very much for the same reason the minister gave. Those conclusions

in relation to evidentiary problems were ones I formed independently of any discussions with SAPOL but, really, they are clearly problems with the legislation.

Whilst the Hon. David Ridgway has not moved any of his amendments yet, I will flag now that the only amendment we will be supporting is the one that requires the reporting of the use of the Community Road Safety Fund. I accept what the minister has said, that is, that the fund already exists. The government has been quite willing to provide the statistics for the last several years of operation, and it seems to be no big burden on government to simply provide that same information on a more regular basis without the need to ask for it.

The Hon. D.W. RIDGWAY: Again, while we are on this omnibus sort of explanation and indication of what we will be supporting. I indicate that, from the opposition's point of view, we will not be supporting the Hon. Robert Brokenshire's amendments for the same reasons that have been outlined, that is, for evidentiary reasons. I was also a bit alarmed at one of the clauses which provides:

The minister may only approve a location for the purposes of subsection (a) if the injuries or fatalities arising from accidents involving vehicles (including trains) at that location prior to the installation of the photographic [detection] device...

I know that the Hon. Mr Brokenshire is a member of the Family First party, but it appears here as if he is wanting you to kill half your family first and then they will put a camera there afterwards.

The Hon. R.L. Brokenshire: That's what happens at the moment.

The Hon. D.W. RIDGWAY: Well, the opposition's view is that they should not wait for fatalities or injuries; the government should be proactive and make sure that these things are in place. If they are there for a positive road safety and pedestrian outcome, then they should be there ahead of any potential injuries or, God forbid, fatalities. So the opposition will oppose the amendments proposed by the Hon. Robert Brokenshire. As the Hon. Mark Parnell said, the Community Road Safety Fund already exists. We think there is some benefit in having that reported annually to the parliament.

While we are having this discussion, I have not formally moved this, but we believe that an alternative to the Hon. Robert Brokenshire's amendment may be:

A photographic detection device may not be operated for the purpose of obtaining evidence of the commission of a red light offence except at locations approved by the minister from time to time.

We think it is reasonable to have that approval from the minister. In addition:

The minister may only approve a location for [the purposes of] subsection (9a) if in the opinion of the minister the installation of a photographic detection device at that location for the purpose of obtaining evidence of the commission of red light offences will increase the safety of drivers and pedestrians at that location.

This government has, time and time again, been accused—sadly, I think rightly so—of being focused on revenue raising. This amendment will give the government and the minister the opportunity to say that they are only deploying these particular pieces of equipment where there has been, and will be, a proven road safety outcome.

The Hon. R.L. BROKENSHERE: As we are doing omnibus, I will just summarise and refute some of the points that have been made. First, strictly speaking amendment No. 1 really is consequential to amendments Nos 2 and 3, and arguably could or should have been postponed and recommitted after we had discussed them, but that was how I had to do it according to the way it was drafted. I just want to make that clear.

Secondly, I do not agree with the argument that because there might be an evidentiary problem with respect to a prosecution that that is an out for SAPOL or any other organisation not having to put up signs. We have seen a situation under this government where even 'Speed cameras save lives' signs have been removed and just left out there. We see nothing in the way of proactive messages about issues regarding road safety.

Whilst I acknowledge, with respect to red-light and speed cameras, that the department has, to my best knowledge, voluntarily put up signage, the fact is that there is no guarantee at law that it has to do that. Of course, if you go through a red light or speed through a red light then Family First would be the first ones to say that you should get caught, but the fact is that, if there are signs there, subconsciously every time someone enters that intersection that sign reminds them about the dangers of speeding or travelling through red lights, of speeding through

intersections or of trying to beat red lights. It is about being proactive about road safety and being up-front with people.

We cannot base everything on, 'Oh well, if we put this or that in the bill there may be an evidentiary problem down the track.' I can tell you that that could occur with most pieces of legislation. The fact is that departments and agencies have to abide by legislation. It is an easy way out for them to say, 'If we don't put one sign up there, then we may not get a prosecution.' They have to do things with respect to proving that their speed detection equipment is accurate and tested regularly; what is the difference with being required to put up a sign?

I also want to say a couple of other things. The requirement that every five years the minister must review red-light camera placement to ensure that they are placed only at intersections that demonstrably require such cameras due to fatality and injury occurrences is the opposite to what the Hon. David Ridgway said. I know he must have been speaking tongue in cheek, or I would be extremely disappointed with his comment. Family First wants to see all families, all communities, all people protected in a road safety situation.

That is precisely why we have this amendment: we have seen from FOIs that where blackspots are identified, where there should be speed detection equipment, guess what? The majority of those blackspots do not have that speed detection equipment, and when you actually drill into it further you will find that most of the speed detection equipment is located totally away from where the blackspots are, and this can only be described probably as revenue raising on that basis.

I will give you a classic example: just straight out to the north-east of Parliament House here, right alongside the Adelaide Oval, I think they rake in somewhere near a million dollars a year with that particular speed camera. When you have a look at the number of accidents there, they are minimal and yet there are other intersections where there have been fatalities and serious road crashes and there is no speed detection equipment. Contrary to what the Hon. David Ridgway said, Family First is moving this amendment in the hope that it would improve road safety because they would actually be put where they should be put.

I will just finish with a couple of other points. The fact of the matter is that the amendment provides that the minister may only place cameras from time to time at intersections where, in his or her opinion, fatality and injury require a camera to be placed there. There is flexibility for the minister or obviously the person who is delegated the day-to-day decision-making behind that.

I just want to finish on the Community Road Safety Fund. I can understand why the Liberal Party would not support this because sooner or later the Liberal Party will be in government, and I hope that when they do get into government they will be more transparent than this government, because this government is trying to sell a line out there in the community that all the revenue from expiation notices goes into road safety, and that is bunkum.

What they do is just play with figures and pull some of their money from the consolidated revenue that is given to a department, shift it across to one side and bring some in to offset that from the fund. What is wrong with a little bit of transparency on this? All this clause does is give effect to the often-stated principle that all revenue from such cameras is redirected into road safety initiatives. How do we know? I have tried for years.

When I was police minister, I could have argued that all the money from expiation notices went into police and road safety. You can easily argue that, but it is not necessarily true unless you can actually see a reporting process and some sort of transparency. That is not there at the moment. It is just a flippant, easy, throwaway line to try to offset people's angst when these speed detection devices are not located in the places where they should be for speed detection. I, for one, would like to see—

The ACTING CHAIR (Hon. J.S.L. Dawkins): I remind the honourable member that this is not a second reading speech. I think he needs to conclude.

The Hon. R.L. BROKENSHERE: I am just rounding up a little point. I might be able to convince some of my colleagues on the last day to change their mind. I will round it up. The fund was proposed to receive funds from fines imposed via the red light and co-located speed cameras and only applied them to SAPOL or other parts of government that will implement road measures, and they must be reported to the parliament annually, for example, through DTEI's annual report on income and expenditure. I am just trying to get some transparency.

I do hear that the numbers are not on my side, but I wanted to clarify with your approval the fact that we are moving these amendments to better improve road safety for families and communities in this state and have a little bit of transparency, which would not be bad at the end of 2011 for the community of South Australia. I also say that at least the Hon. David Ridgway has put up one amendment that is similar to part of my amendments, and that is a small way forward, and we will be supporting that because we want to see some improvement in transparency.

The Hon. I.K. HUNTER: I appreciate that the Hon. Mr Brokenshire is adhering to his line, but I have to respectfully disagree with him, as I have put my reasons on the record already. In the spirit of caring and sharing, as we have embarked on today, I might also make an omnibus response to the Hon. Mr Ridgway's first amendment but also give an indication on the second amendment that he will be moving.

The amendment the Hon. Mr Ridgway has proposed deals with the location of red-light cameras, that they must be approved by the minister and that the minister can only approve the location of red-light cameras if he or she is of the opinion that the camera will increase the safety of drivers and pedestrians at the location.

The government opposes this first amendment. We believe the amendment is unnecessary as the proposed obligations closely resemble existing practice. Site selection for safety cameras is determined by DPTI in consultation with SAPOL and takes into account crash statistics on a priority basis, with individual site suitability governed by site geometry, road alignment and the presence of obstructions, as I have previously outlined.

It is arguable that, due to the extreme danger of running a red light at any intersection, every intersection would benefit from the installation of a safety camera. The government is concerned that this amendment could create prosecutorial difficulties for SAPOL. When SAPOL is prosecuting an offence where a photographic detection device has been used to detect a red-light offence, this amendment could mean that SAPOL will have to prove that the device has been approved by the minister. This adds unnecessary complexity to the prosecution and could cast doubt on the validity of the installation of cameras, resulting in legal challenges to prosecutions.

In relation to the second amendment in the name of the Hon. Mr Ridgway (which I do not believe he has moved as yet), I indicate that the government will not be opposing it.

Amendment negated; clause passed.

Clause 3 passed.

Clause 4.

The Hon. R.L. BROKENSHERE: I move:

Page 2, after line 24—Insert:

- (5) Section 79B—after subsection (9) insert:
 - (9a) A photographic detection device may not be operated for the purpose of obtaining evidence of the commission of a red light offence except at locations—
 - (a) approved by the Minister from time to time; and
 - (b) at which there is, in accordance with the regulations, a traffic control device advising approaching drivers of the existence of the photographic detection device.
 - (9b) The Minister—
 - (a) may only approve a location for the purposes of subsection (9a) if the injuries or fatalities arising from accidents involving vehicles (including trains) at that location prior to the installation of the photographic detection device are in the opinion of the Minister such as to require the installation of the device in order to discourage the commission of red light offences at that location; and
 - (b) must, at least once in every 5 years, conduct a review of all existing approved locations, to determine if each approval is, in the Minister's opinion, still required for the purpose referred to in paragraph (a); and
 - (c) must, within 6 sitting days after the commencement of this section and thereafter within 6 sitting days after the completion of each

subsequent 5 year period, cause a report to be laid before each House of Parliament—

- (i) specifying which locations (at which red light offences may be committed) have been the site of injuries or fatalities arising from accidents involving vehicles (including trains) during the preceding 5 years, and the number of such accidents at those locations; and
- (ii) setting out the locations currently approved for the purposes of subsection (9a) and the reasons for the approval of those locations.

Amendment negated.

The Hon. D.W. RIDGWAY: I move:

Page 2, after line 24—Insert:

- (5) Section 79B—after subsection (9) insert:
 - (9a) A photographic detection device may not be operated for the purpose of obtaining evidence of the commission of a red light offence except at locations approved by the Minister from time to time.
 - (9b) The Minister may only approve a location for the purposes of subsection (9a) if in the opinion of the Minister the installation of a photographic detection device at that location for the purpose of obtaining evidence of the commission of red light offences will increase the safety of drivers and pedestrians at that location.

The committee divided on the amendment:

AYES (9)

Brokenshire, R.L.
Lee, J.S.
Ridgway, D.W. (teller)

Dawkins, J.S.L.
Lensink, J.M.A.
Stephens, T.J.

Hood, D.G.E.
Lucas, R.I.
Wade, S.G.

NOES (9)

Darley, J.A.
Hunter, I.K. (teller)
Vincent, K.L.

Franks, T.A.
Kandelaars, G.A.
Wortley, R.P.

Gago, G.E.
Parnell, M.
Zollo, C.

PAIRS (2)

Bressington, A.

Gazzola, J.M.

The CHAIR: There being 9 ayes and 9 noes, I cast my vote in the negative.

Amendment thus negated; clause passed.

New clause 5.

The Hon. R.L. BROKENSHERE: I move:

After clause 4, page 2—Insert:

5—Insertion of sections 79D and 79E

After section 79C insert:

79D—Community Road Safety Fund

- (1) A Community Road Safety Fund is established.
- (2) The Fund must be kept as directed by the Treasurer.
- (3) The Fund consists of—
 - (a) all penalties or expiation fees recovered in respect of camera offences or alleged camera offences; and
 - (b) any money provided by Parliament for the purposes of the Fund; and

- (c) any income arising from investment of the Fund under subsection (4); and
 - (d) all other money that is required or authorised by or under this Act or another law to be paid into the Fund.
- (4) The Fund may be invested as approved by the Treasurer.
- (5) The Minister may apply the Fund—
- (a) for such purposes directly related to road safety as may be determined by the Minister, including in payment to—
 - (i) the South Australian Police Department or any other administrative unit of the Public Service; or
 - (ii) any other person or organisation (whether or not an agency or instrumentality of the Crown),
 for those purposes; or
 - (b) in making any other payment required by this Act or another law to be made from the Fund; or
 - (c) in payment of the expenses of administering the Fund.
- (6) In this section—camera offence means—
- (a) an offence against section 79B(2) where at least 1 prescribed offence in which the vehicle appears to have been involved is a red light offence; or
 - (b) a red light offence where the allegation of the offence is based on photographic evidence obtained through the operation of a photographic detection device;
- prescribed offence and red light offence have the same meaning as in section 79B.

79E—Report on Community Road Safety Fund

- (1) The administrative unit of the Public Service that is, under the Minister, responsible for the administration of this Act must, on or before 30 September in each year, present a report to the Minister on the operation of the Community Road Safety Fund during the previous financial year.
- (2) The report must include details of the following:
 - (a) the money paid into the Fund from each source specified in section 79D(3);
 - (b) the manner in which any money expended from the Fund was applied by the Minister;
 - (c) any matter required by this Act or another law to be included in the report.
- (3) A report under this section may be incorporated into the annual report of the relevant administrative unit.
- (4) The Minister must cause a copy of the report to be laid before both Houses of Parliament within 12 sitting days after the report is received by the Minister.

The Hon. D.W. RIDGWAY: I move:

After clause 4, page 2—Insert:

5—Insertion of section 79D

After section 79C insert:

79D—Report on Community Road Safety Fund

- (1) The administrative unit of the Public Service that is, under the Minister, responsible for the administration of this Act must, on or before 30 September in each year, present a report to the Minister on the operation of the Community Road Safety Fund during the previous financial year.
- (2) The report must include details of the following:
 - (a) each source of any monies paid into the Fund and the amount paid into the Fund from each source;

- (b) the manner in which any money expended from the Fund was applied;
 - (c) any required by this Act or another law to be included in the report.
- (3) A report under this section may be incorporated into the annual report of the relevant administrative unit.
- (4) The Minister must cause a copy of the report to be laid before both Houses of Parliament within 12 sitting days after the report is received by the Minister.

The Hon. Mr Brokenshire's new clause negated; the Hon. Mr Ridgway's new clause inserted.

Title passed.

Bill reported with amendment.

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (16:47): I move:

That this bill be now read a third time.

Bill read a third time and passed.

WORKERS REHABILITATION AND COMPENSATION (EMPLOYER PAYMENTS) AMENDMENT BILL

The House of Assembly agreed to the bill without any amendment.

VOCATIONAL EDUCATION AND TRAINING (COMMONWEALTH POWERS) BILL

Received from the House of Assembly and read a first time.

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (16:50): 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.

One of our ongoing challenges, for the country and for this State, is ensuring that all Australians, and all students who come here from overseas to study, have access to the best available education and training that will enable them to operate and compete in a globalised world.

A key step to achieving this is by becoming more nationally consistent and rigorous in the way we register, accredit and monitor courses and providers and the way we enforce performance standards in the vocational, education and training sector (the *VET* sector).

Earlier this year, the Commonwealth Parliament passed the *National Vocational Education and Training Regulator Act 2011* and the *National Vocational Education and Training Regulator (Transitional Provisions) Act 2011*. This legislation provides for the establishment of a national regulator (the National VET Regulator) that will drive better quality standards and regulation across the Australian VET sector.

This legislation gives effect to the 2009 Council of Australian Governments (COAG) agreement to create a national VET regulator, responsible for registering training organisations and accrediting courses. The National VET Regulator will also regulate services to overseas students by VET providers under the *Education Services for Overseas Students Act 2000* of the Commonwealth.

The National VET Regulator will operate under a referral of powers from the States. The legislation before the House is to allow for the transfer of South Australian powers through the adoption of the abovementioned Commonwealth Acts.

The 2 non-referring states, Victoria and Western Australian, who were not signatories to the 2009 COAG agreement, will enact mirror legislation to ensure consistent application of the national standards, noting the COAG agreement that all registered training organisations wishing to operate in more than 1 jurisdiction or enrol international students will be registered through the National VET Regulator.

The matters that are being referred to the Commonwealth are limited to those necessary for the effective operation of the national regulator, combined with a further referral which will allow the Commonwealth Parliament to make amendments to the Commonwealth law in consultation with States and Territories.

There will be consequential amendments that will need to be made to the *Training and Skills Development Act 2008* arising from the referral of powers to the Commonwealth. Early in 2012, the *Tertiary Education Quality and Standards Agency Act* of the Commonwealth will also come into effect for the regulation of higher education

providers. Once full transition to both regulators has been achieved, consequential amendments to the State's *Training and Skills Commission Act 2008* will be brought forward.

Funding for the National VET Regulator will be provided by the Commonwealth Government for a period of 4 years and it will then operate on a cost recovery model. There will be no budget impact on the general operating costs for the State Government resulting from the transition to the national regulator, as reductions in regulatory fee revenue will be offset by a reduction in expenditure on regulatory activities.

Following enactment of this Bill, State regulation for VET will transition to the National VET Regulator (the Australian Skills Quality Agency (ASQA)) toward the end of this year. The Department has been working with ASQA and the providers to ensure a smooth transition.

Establishing the National VET Regulator is one of the most significant reforms to the sector in years. It is an initiative strongly supported by VET practitioners and providers, and by employers, industry skills councils and unions. It will work collaboratively with these stakeholders and other regulators to provide targeted, rigorous and transparent compliance regulation to assure the highest quality of VET delivery for students, industry and community.

As noted in the introduction, ensuring rigorous quality assurance of vocational education and training is critical to increasing the skills and qualifications of individuals which will drive up the productivity of our economy. Moving towards a national regulation system is critical to achieving this outcome. It will maximise the efficacy and efficiency of the VET sector, and provide greater assurances about the quality of our VET providers and the outcomes of that provision, which will benefit training organisations, learners and industry.

This Bill before you is a critical step along this path and I therefore commend it to the members of this House.

Explanation of Clauses

1—Short title

This clause is formal.

2—Commencement

This clause provides that the measure will come into operation on a day to be fixed by proclamation. The clause also disapplies the operation of section 7(5) of the *Acts Interpretation Act 1915* in relation to the measure.

3—Definitions

This clause sets out the definitions of words and phrases used in the measure. See, in particular, the following definitions:

National VET legislation means—

- (a) the *National Vocational Education and Training Regulator Act 2011* of the Commonwealth; and
- (b) the *National Vocational Education and Training Regulator (Transitional Provisions) Act 2011* of the Commonwealth,

as in force from time to time;

relevant version of the National VET legislation means—

- (a) the *National Vocational Education and Training Regulator Act 2011* of the Commonwealth; and
- (b) the *National Vocational Education and Training Regulator (Transitional Provisions) Act 2011* of the Commonwealth,

as in force immediately before the commencement of clause 4 of the measure.

4—Adoption of National VET legislation

Clause 4 provides that the *relevant version of the National VET legislation* is adopted within the meaning of section 51(xxxvii) of the Constitution of the Commonwealth. The adoption will have effect only for the period beginning when this clause commences and ending at the end of the day fixed for that purpose (if any) under clause 5.

5—Termination of adoption

This clause makes provision for the Governor, by proclamation, to fix a day as the day on which the adoption is to terminate. Such a proclamation may be revoked by further proclamation (provided that the revocation proclamation is published before the day fixed in the earlier proclamation for termination of the adoption).

6—Referred VET matters

This clause sets out each of the matters that is a *referred VET matter*. These are as follows:

- the registration and regulation of vocational education and training organisations;
- the accreditation or other recognition of vocational education and training courses or programs;

- the issue and cancellation of vocational education and training qualifications or statements of attainment;
- the standards to be complied with by a vocational education and training regulator;
- the collection, publication, provision and sharing of information about vocational education and training;
- investigative powers, sanctions and enforcement in relation to any of the above.

The clause then provides that a referred VET matter does not include the matter of making a law that excludes or limits the operation of a State law (that is, any Act of the State or any instrument made under such an Act) to the extent that the State law makes provision with respect to—

- primary or secondary education (including the education of children subject to compulsory school education); or
- tertiary education that is recognised as higher education and not vocational education and training; or
- the rights and obligations of persons providing or undertaking apprenticeships or traineeships; or
- the qualifications or other requirements to undertake or carry out any business, occupation or other work (other than that of a vocational education and training organisation); or
- the funding by the State of vocational education and training; or
- the establishment or management of any agency of the State that provides vocational education and training.

7—Reference of matters

This clause makes provision for the *amendment reference*. Each referred VET matter is referred to the Parliament of the Commonwealth, but only to the extent of the making of laws with respect to such a matter by making express amendments of the National VET legislation.

The reference of a matter under this clause has effect only—

- if and to the extent that the matter is not included in the legislative powers of the Parliament of the Commonwealth (otherwise than by a reference under section 51(xxxvii) of the *Constitution of the Commonwealth*); and
- if and to the extent that the matter is included in the legislative powers of the Parliament of the State.

The amendment reference will have effect until terminated under clause 8.

8—Termination of reference

This clause makes provision for the Governor, by proclamation, to fix a day as the day on which the amendment reference is to terminate. Such a proclamation may be revoked by further proclamation (provided that the revocation proclamation is published before the day fixed in the earlier proclamation for termination of the amendment reference).

9—Amendment of Commonwealth law

This clause is included to avoid doubt and provides that it is the intention of the Parliament of the State that—

- the National VET legislation may be expressly amended, or have its operation otherwise affected, at any time by provisions of Commonwealth Acts the operation of which is based on any legislative powers that the Parliament of the Commonwealth has on account of a reference of any matters, or the adoption of the relevant version of the National VET legislation, under section 51(xxxvii) of the Constitution of the Commonwealth; and
- the National VET legislation may be expressly amended, or have its operation otherwise affected, at any time by provisions of Commonwealth Acts the operation of which is based on legislative powers that the Parliament of the Commonwealth has apart from a reference of any matters, or the adoption of the relevant version of the National VET legislation, under section 51(xxxvii) of the Constitution of the Commonwealth; and
- the National VET legislation may have its operation affected, otherwise than by express amendment, at any time by provisions of National VET instruments.

10—Effect of termination of amendment reference before termination of adoption of Commonwealth Acts

This clause provides that if the amendment reference is terminated but the adoption of the relevant version of the National VET legislation is not terminated, the termination of the amendment reference does not affect—

- laws that were made under the amendment reference (but not repealed) before that termination (whether or not they have come into operation before that termination); or
- the continued operation in this State of the National VET legislation as in operation immediately before that termination or as subsequently amended or affected by—

- (i) laws made under the amendment reference that come into operation after that termination; or
- (ii) provisions referred to in paragraph (b) or (c) of clause 9.

Accordingly, the amendment reference continues to have effect for the purposes of this clause unless the adoption is terminated.

Schedule 1—Ancillary arrangements

1—Interpretation

This clause contains definitions of *Commission* and *National VET Regulator* for the purposes of clause 2 of the Schedule.

2—Commission may provide information and assistance to National VET Regulator

This clause provides that, despite any other Act or law, the Commission is authorised to provide to the National VET Regulator or an agency of the Commonwealth (whether at the request of the Regulator or the agency or otherwise)—

- such documents and other information in the possession or control of the Commission that may reasonably be required by the Regulator or agency in connection with the performance or exercise of its functions or powers under the National VET legislation; and
- such other assistance as is reasonably required by the Regulator or agency to perform or exercise a function or power under the National VET legislation.

3—Regulations

This clause provides the Governor with the ability to make regulations of a saving or transitional nature consequent on—

- the enactment of this measure; or
- the transition from the application of provisions of the *Training and Skills Development Act 2008*, or any other law of the State otherwise relating to vocational education and training, to the application of provisions under the National VET legislation.

Debate adjourned on motion of Hon. D.W. Ridgway.

SITTINGS AND BUSINESS

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (16:50): I move:

That the house at its rising adjourn until Tuesday 14 February 2012.

Motion carried.

ADJOURNMENT DEBATE

VALEDICTORIES

The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (16:51): I take this opportunity to thank honourable members and staff for their assistance. As we rise for the summer break, I would like to take a little time to acknowledge, on behalf of my colleagues, the immense contribution of parliamentary members and staff to this session, obviously between rounds of (at times) fairly robust debate which has been pursued in the traditionally fairly vigorous manner. With that, we have indeed accomplished a significant amount, having completed a substantial range of legislative changes and amendments, including, I might say, some very important pieces of legislation, legislation that will map the very future of this state and, I believe, some of which will leave a lasting legacy of honourable members in this place and the other place.

I want to congratulate the chamber on its diligence and I look forward to a similar level of application and hard work being displayed when we return refreshed in the autumn session. I would particularly like to pay tribute to the President for his very calm and principled leadership of this council, often under very difficult circumstances. It is a very challenging job and he does it with deft skill, wit and very good humour. He does, indeed, make the job look easy when we know that it is not.

The Hon. D.W. Ridgway interjecting:

The Hon. G.E. GAGO: I am sure he is listening. Working under his direction is a tremendous team of very hardworking people, who make our work more than just possible, they actually help raise our task as legislators to the highest possible standard. I thank the courteous and friendly whips in particular, the Hon. John Dawkins and the Hon. John Gazzola. It is a thankless task and we appreciate your assistance and guidance. It is quite critical to the ongoing good operation of this place.

The table staff, as always, are fantastic, Jan and Chris in particular for their absolutely unerring attention to detail in ensuring that we remain on the straight and narrow and adhere absolutely to standing rules of all shapes and forms. To the rest of the table staff, and the attendants in particular who look after us attentively, thank you very much. To the messengers and Hansard staff, thank you. The work of all of staff makes the lives of all members of parliament much easier and more pleasant. We obviously deal with a wide range of very detailed and often complex work and the staff make our jobs possible and more productive.

While some misguided people might say that our life in the Legislative Council is dull and anodyne, we know that this is where the real work is done. What we do here is incredibly valuable and important to the people of this state.

The Hon. S.G. Wade: And so say all of us.

The Hon. G.E. GAGO: There is unanimous agreement. I also wish to record the government's thanks to parliamentary counsel, whose impartial wisdom and assistance is greatly valued by all who work with them and without whom our task as legislators would be simply impossible. We have all benefited greatly from the efforts of our kitchen and dining staff—some showing more effects than others, and again I will not name names.

I thank the library staff and the building staff, who are all part of a very important team. As always they look after our needs in a very considerate and friendly way, and it makes our long hours of hard work much easier to bear and more productive. I particularly thank my own staff. It is a small, incredibly hardworking team who have risen to many challenges, in this session in particular, with great fortitude, unfailing commitment and continuing good humour. They are an absolute delight and pleasure to work with, and I am sure all members here would like to extend the same gratitude to their staff as well.

When we return to the fray next year I hope that all members and staff will come back to their duties renewed, inspired and in good health, and I look forward to seeing you all then and working with you again in parliament. We know that our work does not stop just because there is a summer break.

An honourable member interjecting:

The Hon. G.E. GAGO: Yes, I did mention Hansard. Now they have been mentioned twice. Just because the parliament rises over the summer break does not mean that we as members of parliament are on a holiday—we are not. Our work continues in other ways, but obviously our parliamentary work has a break until the spring session. I extend my best wishes for a very safe and festive season and new year for all honourable members.

The Hon. D.W. RIDGWAY (Leader of the Opposition) (16:58): I rise on behalf of the opposition to endorse the comments made by the Leader of the Government, although I think we are coming back in the autumn session and not in spring. I thank all my parliamentary colleagues from a range of different parties and backgrounds for their cooperation throughout the year. I thank the table staff—Jan, Chris and the rest of the team—for all their support. They certainly play an important role in our function here. I thank Hansard also for their ongoing support and for making people's speeches in here sound like they actually know what they are talking about and are intelligent.

Parliamentary counsel are very important because very few of us have that technical drafting ability, and it is certainly important to have their support, and they are always willing to help; even if they perhaps privately think some of the suggestions are not that sensible, they are still always able to help, so we certainly appreciate that. I thank the catering staff, in the dining room, the bar and the Blue Room. An army runs on its stomach, and we are well looked after by all the catering staff.

The opposition is always here very early in the morning and late at night, and we get great service from the building attendants. They look after us well as I come in the tradesman's entrance nearly every morning and go home late every night. I also thank all the staff: my personal staff and

also the broader staff of the opposition team and the staff of the cross benches and, in most cases, the staff of government members in that, when we need to get information and talk to each other, it all seems to work reasonably well and smoothly.

With those few words, I wish everybody a very merry Christmas and a safe and prosperous new year. We will see everyone back on Valentine's Day next year.

The Hon. M. PARNELL (17:00): Perhaps even more briefly, I would like to support and endorse the remarks of both the Leader of the Government and the Leader of the Opposition. They have both comprehensively listed the people we need to thank. We should make sure that we do not forget that our work here depends very much on the table staff, the attendants, the messengers, the building staff and the catering staff. We have the parliamentary research library, the good people of Hansard (I think that is the fifth mention) and parliamentary counsel, of course.

There is also the parliamentary network support group, the people who keep us connected and answer our often simple questions, sometimes our difficult ones. Also, what, I think, we did not have this time last year is some new cleaning staff. Those of us, such as the Hon. David Ridgway and myself, who get here very early in the morning have become acquainted with the cleaning staff. On behalf of Tammy and myself, I wish all members and all of our hardworking staff a restful holiday season, and I look forward to seeing everyone back here in February.

The PRESIDENT (17:00): There being no further contributions, I take this opportunity to thank all honourable members of the Legislative Council for their support throughout the year and their hard work. Also, I would like to thank the staff of the Legislative Council, Jan and Chris in particular, the table staff in the council and all the other staff of the Legislative Council and all the staff of Parliament House, from catering to the library—all of those who come under the auspices of the JPSC.

I would also like to make special mention of the members of the JPSC for their hard work during the year and for their making the tough decisions. I also pass on my thanks to the two whips from the major parties. I make special mention of the Hon. John Dawkins for his assistance to allow me some coffee breaks, and I also thank my Labor colleagues for giving me a coffee break from time to time.

I wish all the staff and all the members a happy and healthy Christmas and a very prosperous new year. I look forward to seeing you all back in good health and good spirits after Christmas.

At 17:02 the council adjourned until Tuesday 14 February 2012 at 14:15.