

LEGISLATIVE COUNCIL

Wednesday, 19 November 2014

The **PRESIDENT (Hon. R.P. Wortley)** took the chair at 14:18 and read prayers.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The **Hon. G.A. KANDELAARS (14:18)**: I bring up the 25th report of the committee.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Minister for Employment, Higher Education and Skills (Hon. G.E. Gago)—

Department for Further Education, Employment, Science and Technology—
Report, 2013-14

By the Minister for Sustainability, Environment and Conservation (Hon. I.K. Hunter)—

Reports, 2013-14—
Environment Protection Authority
National Heavy Vehicle Regulator
National Rail Safety Regulator
Wilderness Advisory Committee
Zero Waste SA

Question Time

CITY OF PORT ADELAIDE ENFIELD

The **Hon. D.W. RIDGWAY (Leader of the Opposition) (14:21)**: I seek leave to make a brief explanation before asking the Leader of the Government about the capability of her Legislative Council colleagues.

Leave granted.

The **Hon. D.W. RIDGWAY**: This morning it was reported in *The Advertiser* that the tourism minister, Hon. Leon Bignell, had branded the Port Adelaide Enfield council as 'lazy'. He was speaking particularly about the developments in the tourism space over his time as minister. He had been minister since January 2013. I note that the Hon. Gail Gago, as Leader of the Government—her colleague, Hon. Tung Ngo, served on that council for approximately half of that time. I believe he resigned when the writs for the 2014 election were issued. My question to the minister is: does the minister support the comments and criticisms made by her colleague, the Minister for Tourism (Hon. Leon Bignell) this morning?

The **Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:22)**: I thank the honourable member for his question. I think the—

Members interjecting:

The **PRESIDENT**: The Hon. Mr Maher.

The **Hon. G.E. GAGO**: I believe that the Minister for Tourism (Hon. Leon Bignell) is a truly fine minister.

Members interjecting:

The Hon. G.E. GAGO: Truly fine. He is an incredibly capable and enthusiastic minister, and he has embraced all of his portfolios. Whatever portfolio he has been given responsibility for, he has embraced with absolute enthusiasm and dedication. He is an incredibly capable minister and he is incredibly passionate about South Australia. He is incredibly enthusiastic about promoting the assets that this state has to offer. He is renowned for his absolutely ferocious advocacy of South Australia's wine industry, for instance, our tourism industry in general, and of course racing as well. Indeed, I do support the Hon. Leon Bignell, and I do believe that he is a very fine, capable, and incredibly passionate advocate for South Australia and South Australians.

The PRESIDENT: Supplementary, Hon. Mr Ridgway.

CITY OF PORT ADELAIDE ENFIELD

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:24): Given the Hon. Tung Ngo's participation in the 'lazy' council, does the leader now believe her parliamentary colleague is lazy?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:24): Mr President, I have answered the question. Indeed, I can only reiterate what a fine minister I believe the Hon. Leon Bignell is. In fact, I believe all of our ministers are incredibly fine and capable people, sir, as well as all members of the government, for that matter.

CITY OF PORT ADELAIDE ENFIELD

The Hon. T.A. FRANKS (14:24): Supplementary: does that growing support extend to the minister's call for small businesses to open on a Sunday or a Saturday morning before football games even though that is not their business model, or does the minister, in fact, think small businesses should make their own decisions about what works for them?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:24): I answered the question in full.

The PRESIDENT: The Hon. Ms Lensink.

The Hon. K.J. Maher interjecting:

MCLAREN VALE PRESCRIBED WELLS

The Hon. J.M.A. LENSINK (14:24): You are reflecting on the President.

The PRESIDENT: Just to make it quite clear, I will make the decision whether it is a supplementary or not. The Hon. Ms Lensink.

The Hon. J.M.A. LENSINK: Hear, hear! Indeed, you do, Mr President. I seek leave to make an explanation before directing a question to the Minister for Water and the River Murray on the subject of the McLaren Vale Prescribed Wells.

Leave granted.

The Hon. J.M.A. LENSINK: I have been contacted by some of the irrigators in the McLaren Vale Prescribed Wells area who normally receive their water allocation fairly early in the new financial and water year, including whether they are entitled to rollover credits for unused water from previous years. I understand that many irrigators in that area have been using less water and should be entitled to rollover credits, and I understand that there are also penalties for anyone who overuses their allocation, specifically that that amount over their allocation will revert to SA Water pricing which, as we all know, is pretty unaffordable for just about any South Australian. Given that we have had a dry start to the season, my questions to the minister are:

1. Can he advise when those irrigators will receive their allocation advice?
2. What gains does he believe have been made through the levy since the area has been prescribed?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:26): I thank the honourable member for her most important question. I cannot answer the question at this point in time. I will have to take it on notice and bring back a response.

SITE CONTAMINATION, CLOVELLY PARK AND MITCHELL PARK

The Hon. S.G. WADE (14:26): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation questions relating to the site contamination at Clovelly Park and Mitchell Park.

Leave granted.

The Hon. S.G. WADE: In his ministerial statement yesterday the minister said that in July a voluntary relocation plan was initiated which aimed to relocate the tenants of 23 Housing SA properties in Clovelly Park before the end of the year. The minister also advised that, while four tenants have indicated that they do not wish to be relocated, these residents have been offered properties to which they can relocate. My questions to the minister are:

1. Can the minister assure the council that he accurately described the relocation plan as voluntary when residents who have expressed their desire not to relocate have had alternative homes put to them to 'advance their relocation'?
2. If a resident does not choose to voluntarily relocate, will they be involuntarily relocated?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:27): I thank the honourable member for his most important question and for giving me the opportunity to put back on the record again some of the important comments that I made yesterday in my ministerial statement.

It is important to understand the context around the honourable member's question, and I think I will be the person probably best placed to judge how much of that context he needs. The EPA, as many members will know, is undertaking further assessment work to determine the nature and extent of groundwater, soil and soil vapour contamination in the areas to the south of the relocation area in Clovelly Park and west into Mitchell Park.

A drilling program commenced on 27 August and I am advised it is completed. Sampling of groundwater, soil and soil vapour commenced on Monday 13 October and is also now complete, I am advised. Following a full technical assessment of the data throughout November the information and findings will be available very soon, and the key report to be delivered is a human health risk assessment, including a vapour intrusion risk assessment. I covered that yesterday. The document will contain the outcomes and findings from the comprehensive data assessment.

The assessment program includes the drilling of a total of approximately 237 locations, including 33 groundwater wells, 30 soil bore holes, and 170 soil vapour probes. The assessment program also included undertaking outdoor air sampling, installing soil vapour probes in a section of the sewer and stormwater trenches to investigate whether the trench was a potential preferential pathway, drilling soil vapour probes underneath the floor of six vacant Housing SA properties, and installing one small air sampler within each of the six vacant Housing SA properties.

In terms of the residents and the offer for relocation, I gave those figures yesterday. I understand that I can now give an update from this morning: the total properties identified for relocation of residents is 31, and a total of two private properties, and there were 23 tenanted Housing SA properties. Housing SA tenanted properties relocated to date is 10; Housing SA tenanted properties committed to relocate is now eight; and Housing SA tenanted properties remaining to be relocated is five.

In relation to advice about whether tenants who wish to stay can stay, pending further information arising from our investigations—of course, everything is contingent on those scientific findings—we have always said that, in the period of time when we announced the further testing and the determination of those findings, we thought that, in an abundance of caution, tenants would be

advised to relocate. That was our view, but we said at the time that would be a voluntary process, and the government maintains that position.

NATIONAL RESEARCH NETWORK

The Hon. T.T. NGO (14:30): I seek leave to make a brief explanation before asking the Minister for Science and Information Economy a question about improving the bandwidth to South Australia's education, health and research centres.

Leave granted.

The Hon. T.T. NGO: As the information, communication and technology (ICT) sector becomes an increasing part of our day-to-day life, internet bandwidth, the ability to deliver every larger amounts of data at increasing speeds, is becoming a matter of critical national infrastructure. My question is: can the minister advise the chamber what steps are being taken in South Australia to ensure that our education, science and research institutions have access to the best possible ICT connectivity?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:31): I thank the honourable member for his most important question. Yesterday, I was fortunate to be able to participate in the launch of the National Research Network (NRN) at the University of South Australia. This was a landmark event for not just South Australia but also for the nation as it marked the completion of the National Australian Research and Education Network linking the mainland capital cities.

The optic fibre-based network was established in 2002 to address the bandwidth and large data transfer needs of the Australian research and education sector. This far-sighted national project has been a brilliant collaboration between the commonwealth and state governments, the universities and, of course, our scientific research sectors generally.

The fact that the National Research Network was launched in South Australia is no coincidence. The University of South Australia has been the project's lead agent manager in overseeing the \$37 million investment by the commonwealth government that funded 12 component projects around Australia. The federal investment tied capital city and regional networks together to create the 43,000 kilometres of high-capacity fibre optic cable that make up the Australian Research and Education Network.

The University of South Australia's lead role in the network flows from its key role in establishing SABRENet, the South Australian Broadband Research and Education Network. SABRENet was built in 2006 to link Adelaide's major research and education sites with an ultra-high capacity, 160 kilometre-long optical fibre cable network. With major backbones now connecting to more than 100 sites across metropolitan Adelaide, SABRENet is a tangible demonstration of the benefits of collaboration within the research and education community. With its very lean and efficient set-up, SABRENet's fee structure is one of the most cost competitive in the world, offering access to dark fibre (that is, unused fibre) to researchers across these sites.

Through the National Research Network, SABRENet is now connected to research and education sites around Australia at speeds far exceeding the long delayed National Broadband Network. A particularly pleasing component of the NRN project is the regional connections project, which will connect university campuses in Mount Gambier and Whyalla.

Thanks to the regional connections project, students from the country will benefit from a wider range of degrees with access to the same curriculum, state-of-the-art technologies, resources and academics as those in the city, without having to relocate. The regional connections project will make Whyalla and Mount Gambier amongst the most connected regional cities in Australia. Their local campuses will go from having a 10Mb/s connection to a 10Gb/s connection, which is a staggering 1,000-fold increase in speed. In the case of Mount Gambier, TAFE campuses and other state government agencies in Bordertown, Naracoorte, Millicent and Kingston may also be connected.

The National Research Network and, the strong local role played in its establishment by UniSA along with the leadership and excellence shown by SABRENet are all very positive indicators

for the potential of our state's science and innovation sector. I look forward to seeing the brilliant results from these developments.

SERVICE SA

The Hon. J.A. DARLEY (14:35): I seek leave to make a brief explanation before asking the Minister for Employment, Higher Education and Skills representing the Minister for the Public Sector questions regarding Service SA.

Leave granted.

The Hon. J.A. DARLEY: I have been contacted by constituents today who have tried to register their vehicle. One constituent reached the end of Service SA's telephone service only to be told that the payment was not accepted. My constituent tried several more times to register the vehicle this way and was advised by the automated service that payment was not accepted. After checking with her bank, my constituent discovered that Service SA had charged my constituent four times for the same registration. However, when calling Service SA, she was advised that there was no record of the payment and that her vehicle was still unregistered. The same thing occurred with another constituent who tried and was charged three times for their registration. I understand that all Service SA centres have been closed and EzyReg is not operating. My questions are:

1. Can the minister advise details as to what caused this problem?
2. Can the minister advise when Service SA and EzyReg will be operating as normal again?
3. What provisions have been made for those whose registrations are due today and who are unable to pay due to the system not operating?
4. Has this been communicated with SAPOL so that they are aware of this when detecting unregistered/uninsured vehicles?
5. Will the minister approach the Minister for Police to ensure that those who are expiated in this period for an unregistered/uninsured vehicle or driving without a valid licence will have their expiation notices withdrawn?
6. Will the minister give an assurance that refunds for those who have been charged multiple times will be processed in an expedient and timely manner?
7. Why were Service SA shopfronts not kept open to answer enquiries from the public?
8. Will Service SA shopfront staff be paid during this closure period?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:37): I thank the honourable member for his most important questions and we will refer those to the Minister for the Public Sector on his behalf and bring back a response.

JOB CREATION

The Hon. R.I. LUCAS (14:38): My question is directed to the Leader of the Government in the council. Given the promise made by premier Rann in the period leading up to 2010 and reaffirmed in the period leading up to 2014 by Premier Weatherill of the 100,000 new jobs by February 2016, is that still a promise that the leader of the government is committed to?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:38): I thank the member for his question. I have answered this question several times in this place before, but I am happy to answer it again. I have answered it quite clearly, I think on more than one occasion, and I refer members to *Hansard* but, as I said, the opposition never listen. They are lazy and indifferent and they never pay attention, but I am happy to go back on the record yet again.

In 2010, the government committed to an aspirational and challenging target to create an additional 100,000 jobs over six years from 2010 to 2016. During this time, the global financial crisis came along, with South Australia's stronger reliance on industries adversely impacted by the strong Australian dollar. Areas that were particularly impacted were, of course, manufacturing and agriculture, combined with less reliance on growth industries like mining, and contributed to a relatively subdued labour market performance, which we are all aware of.

There are, however, many positive signs, indicating that the state's economy is strengthening. Employment in South Australia has increased by around 6,700-odd jobs over the past year. Similarly, full-time employment in South Australia has increased by around 14,600 over the past year and has been increasing for 11 consecutive months. I will repeat that, because it is worth repeating: 11 consecutive months of full-time employment growth. In trend terms, hours worked have been increasing for 13 consecutive months in South Australia, increasing by 3.2 per cent. Over the same period, the national growth rate was 0.8 per cent.

In the 12 months to September 2014, the value of South Australia's overseas goods exports was at a near record high of \$12.1 billion. This was up 9.9 per cent on the previous 12 months, stronger than the 7.2 per cent growth recorded nationally. The total value of South Australia's exports continues to be supported by growth in the value of exports of things like copper, meat, meat preparations, wheat, vegetables and fruit, and other metals. Investment is currently at a record high, with real private and new capital expenditure in South Australia in the June quarter 2014 being 5.4 per cent higher than the year earlier, while nationally this fell by 5 per cent over the same period.

I have talked in this place before about retail and some of the positive outcomes there, and education services. Visitor rates are up. I have talked in this place on a number of occasions in terms of some of the positive economic indicators. While we recognise that the 100,000 jobs target is aspirational, I have indicated previously that it is my view that, even with these positive trends, we are unlikely to achieve it. Nevertheless, for the reasons I have outlined, we will continue to work towards that target. We are committed to working towards skilling our labour force and attracting investment in business and growing retail and exports. It is a target that at this point in time we continue to aspire to and work towards but, as I said, it is aspirational and it is unlikely at this rate that we will achieve that.

JOB CREATION

The Hon. R.I. LUCAS (14:43): Supplementary question arising out of the minister's answer: given that the minister has referred to the global financial crisis and the global financial crisis occurred in 2007-08, and the promise was made in 2010, can the minister explain how the global financial crisis was not taken into consideration when the promise was made three years after the global financial crisis?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:43): The honourable member knows that the effect of that financial crisis and the fallout of that—in some ways, we are still feeling that.

Members interjecting:

The PRESIDENT: Order! Let the minister answer the question.

The Hon. G.E. GAGO: No-one could anticipate what the outcome would be, so we set an aspirational target.

Members interjecting:

The PRESIDENT: Order!

The Hon. G.E. GAGO: It is something we strive to achieve. It is something that indicates how important we think growing employment is and we continue with that same drive and passion. As I said, we have seen significant improvements on the horizon, so we anticipate that those positive trends will continue, but at this rate it would appear that it is unlikely that it will reach the 100,000 job target.

JOB CREATION

The Hon. R.I. LUCAS (14:44): Supplementary question arising out of the minister's answer. Is it correct that both Treasury and the employment department advised the government prior to 2010 and after the global financial crisis of the impact of the global financial crisis on employment growth over the coming four-year period?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:45): As I said, the opposition don't listen. I have already outlined the range of considerations that we kept in mind when we set that target and our ongoing commitment to it. I have already outlined that.

JOB CREATION

The Hon. R.I. LUCAS (14:45): Supplementary question arising out of the minister's answer. Will the minister take on notice then and bring back the advice that both Treasury and the employment department provided to the government prior to the 2010 election of the impact of the global financial crisis on employment growth over the coming four-year period?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:45): No, because it is actually not relevant to the answer of the question. Those facts mean that people in our agencies have to go away and do all of this work when in fact the outcome of that is not relevant. It is just not relevant. I've given a comprehensive answer—

Members interjecting:

The PRESIDENT: Will the honourable members on my left please allow the minister to answer the question.

The Hon. G.E. GAGO: —and that's on the record.

VICTOR HARBOR ROAD

The Hon. R.L. BROKENSHIRE (14:46): I seek leave to make a brief explanation before asking the minister representing the Minister for Road Safety questions regarding the announcement of upgrades to the Victor Harbor Road.

Leave granted.

The Hon. R.L. BROKENSHIRE: The Victor Harbor Road is, sadly, notorious for dangerous driving, accidents and fatalities. Tragically, the Victor Harbor Road again claimed another life in a fatal accident between a van and a truck at Mount Jagged on Monday. This was the third fatality since 2012 on this particular road, a road that I know like the back of my hand. In January of this year, a 26-year-old man died in a head-on crash near Mount Compass and in December 2012, a 19 year old died just within a couple of kilometres further north of that particular incident.

In a government press release yesterday, it was indicated that between 2009 and 2013 there have been 40 crashes resulting in four deaths and 57 serious injuries on the Victor Harbor Road. With this year's two deaths, we know that there have been at least six deaths on this stretch of road in a five-year period. Whilst the state government has, I admit, made some improvement on the Mount Compass road, most recently point-to-point speed cameras (the start of the installation there), there is, in my opinion and that of constituents right through the Fleurieu Peninsula, an urgent need for an improvement on roadworks.

The government has announced \$1.95 million to be spent on audio-tactile line marking for Willunga Hill and \$3.75 million to construct a roundabout at the junctions of Victor Harbor Road, Waterport to Port Elliott road and Welch Road. These improvements will be funded by MAC's Road Safety Fund. The RAA welcomed these improvements but Mr Charles Mountain, the Road Safety Manager of the RAA, noted yesterday on 5AA that 'a lot of locations are certainly in need of attention'. We concur with the RAA.

Family First supports improvements to our regional roads. We can't help noting that the most recent fatalities on the Victor Harbor Road have not occurred in those two areas that are set for improvements. My questions therefore to the minister are:

1. What is the total amount of state government money that has been spent on the Victor Harbor Road upgrades in the last five years?
2. How is the effectiveness of these initiatives measured in terms of successful road safety improvements and subsequent reduction in accidents and fatalities?
3. Given the number of accidents on this road which occur in different locations, how does the government prioritise the areas that need urgent upgrade?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:49): I will refer those questions to the Minister for Road Safety in another place on behalf of the Hon. Robert Brokenshire and bring back a response.

ENVIRONMENT, WATER AND NATURAL RESOURCES DEPARTMENT

The Hon. J.S. LEE (14:49): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation questions about the Department of Environment, Water and Natural Resources.

Leave granted.

The Hon. J.S. LEE: Reported in the Ombudsman SA's annual report for 2013-14, a complaint was submitted to the Department of Environment, Water and Natural Resources about a misinformed farmer. The farmer purchased land near a river comprising freehold land and a licence to occupy the land. He was advised by the department that existing rights, including grazing rights, over the land would be transferred to him upon settlement; however, the new licence did not contain grazing rights.

The farmer was not provided any reason for removing the grazing rights from the licence. The investigation found that the department has fallen into error and should have provided the farmer with proper and transparent advice. The department did not make it clear that the decision was a ministerial one. The department failed to provide a clear explanation of the reasons why grazing rights were not granted. My questions to the minister are:

1. Can the minister explain what new policies and procedures have been implemented to ensure that failures of the administrative practices of the department have been addressed?
2. What training has been undertaken for staff to ensure that these types of errors will not occur again?
3. Can the minister explain the cost implications in relation to fixing the problem and reviewing the department's policies and also costs associated with staff training?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (14:50): I thank the honourable member for her most important questions. I do not have those details before me at the moment, so I will need to take those questions on notice and bring back a response.

LIQUOR LICENSING

The Hon. G.A. KANDELAARS (14:51): I seek leave to make a brief explanation before asking the Minister for Business Services and Consumers a question about liquor licensing.

Leave granted.

The Hon. G.A. KANDELAARS: I understand that Consumer and Business Services has undertaken a review of the limited licence application process to identify improvements and efficiencies. Can the minister please update the chamber on the status of the Consumer and Business Services review of the limited licence application process and the expected benefits that it will provide the government and community?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:51): I thank the honourable member for his most important question. I am advised that Consumer and Business Services (CBS) receives, processes and grants approximately 10,000 limited licence applications annually. I am pleased to advise members that the limited licence application process was reviewed to identify improvements and efficiencies to benefit both CBS and applicants.

CBS assesses limited licence applications for medium to large events held at a single venue, such as a food and wine festival with a number of stalls representing different wineries in one area. Previously, CBS required each participating stallholder or winery to lodge an individual application to serve or supply liquor for that one event at the same venue. The applications were processed individually and a single licence granted for the event listing all the applicants as licensees.

I am advised that CBS licences approximately 50 of these events a year, and of course we know that these events are very important to the vibrancy of South Australia and particularly our CBD, with an average of 15 applications per event. I understand that larger events may have up to 100 individual applications lodged. The Convention Centre regularly hosts things such as a wine festival over three days where over 200 wineries participate. In the past, each has been required to lodge a separate application.

As a result of the CBS review of the limited licence application process, only one application listing all participants as applicants is now required and it is processed as one application and a single licence is granted. The new process cuts red tape for event organisers and creates significant internal efficiencies for CBS. This is another smart initiative by CBS, underpinning its mindset of looking at existing practices and procedures and asking if they can be improved.

CBS's ongoing business improvement has seen some fantastic outcomes over the past year or so, and I commend all the hard work undertaken by CBS staff to achieve these outcomes. On 30 October the liquor licensing regulations were amended to introduce a new fee structure for limited licence applications with multiple applicants, reflecting the internal efficiencies that the new process delivered.

Previously, I am advised, each participating stallholder was required to lodge an individual limited licence application for the same event and pay a prescribed fee of \$77 per application. The amended regulations have introduced a tiered fee structure, offering a discounted fee where there are multiple applications for the same venue, not to mention that, in the opinion of the licensing authority, if the limited licence is for an event to be held for charitable community purposes, an application fee is not required.

I am advised that CBS implemented the new process earlier this year to ensure a reduction in red tape and internal efficiencies, and I understand that throughout the early transitional stage there is a new process. Up to 30 October applicants were only charged a single \$77 fee, regardless of the number of participants, due to the framework being established. The changes, which introduced the tiered system, now more accurately reflect the time and resources required. It is a great initiative. We see that it not only cuts down the red tape for applicants but also provides a considerable reduction in the cost of the fee on many occasions.

HOMOSEXUAL CONVICTIONS

The Hon. T.A. FRANKS (14:56): I seek leave to make a brief explanation before asking the Minister for Employment, Higher Education and Skills, representing the Attorney-General, a question about past homosexual convictions.

Leave granted.

The Hon. T.A. FRANKS: Last November South Australia became the first jurisdiction in Australia to take the important step of clearing the convictions of people with historical homosexual offences with the passage of the Spent Convictions (Decriminalised Offences) Amendment Act 2013. This was a welcome change and it came decades after homosexuality was decriminalised in 1975 in our state.

However, when South Australia voted through this historic legislation at the end of November last year, we heard hardly a peep from this government; so little, in fact, that when Victoria passed similar legislation expunging past homosexual convictions recently this year some members in that place congratulated each other on becoming the first Australian jurisdiction to do so. In fact, it was widely reported in the media that Victoria had been the first state to do so, and this was something South Australia should have been claiming very proudly.

While fixing the law is a major step, and a very welcome one, those who have now lived with these convictions on their official record have no doubt suffered hardship as a result for many decades, particularly in relation to employment, and there is more to be done. A formal apology and greater recognition should have been extended to those who suffered as a result of this discriminatory law. My questions to the Attorney are:

1. Why, unlike other jurisdictions, didn't the state government make it widely known that our parliament was taking the historic step of clearing these criminal convictions from the official reports on 22 December 2013?
2. Has the government—and how has it done so—acknowledged the hardship and discrimination that have been suffered by those who were convicted and gaoled for consensual sexual activities prior to 1975?
3. Given that next year is a proud date in the South Australian history books—the proud event of the 40th anniversary of the decriminalisation of homosexuality in our state—will a formal apology and other recognition be made to those who have suffered hardship and discrimination?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:58): I thank the honourable member for her most important questions and will refer them to the Attorney-General in another place and bring back a response.

INDIGENOUS SUICIDE

The Hon. A.L. McLACHLAN (14:59): I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation a question regarding Indigenous suicide rates.

Leave granted.

The Hon. A.L. McLACHLAN: On 10 November it was reported in *The Australian* that the rate of Indigenous suicide has risen to alarming levels, with the latest analysis by researchers indicating that as many as 1 in 12 Indigenous people dies by suicide. In 2012 the Australian Bureau of Statistics data for the period 2001 to 2010 shows that South Australia has the second highest Aboriginal and Torres Strait Islander suicide rate of all jurisdictions, with 26.7 deaths by suicide per 100,000, compared with the non-Indigenous rate of 11.2 deaths by suicide per 100,000. My questions to the minister are:

1. Can the minister update the chamber on the situation in South Australia as it stands at the moment?
2. Does the minister believe that the resources the government has committed to address Aboriginal and Torres Strait Islander suicide in South Australia should be increased?
3. Is the government contemplating any new policy initiatives to address these alarming statistics?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (15:00): I thank the honourable member for his most important question. Members in this place would be familiar with the term 'Closing the Gap'. Closing the Gap is a long-standing agenda item that acknowledges improvements in opportunities for Aboriginal Australians require intensive sustained effort across all areas of government, as well as the private and not-for-profit sectors and indeed local communities and individuals.

Closing the Gap targets set out in the National Indigenous Reform Agreement, which commits the commonwealth, states and territories to closing the gap in Aboriginal disadvantage related to areas such as life expectancy, child mortality, education and employment. Closing the Gap builds on the foundation of respect and unity provided by the 2008 national apology to Aboriginal and Torres Strait Islander peoples.

In regard to the issues raised by the honourable member, can I say that today—and honourable members may have caught up with this—a report was released: the sixth edition of the Productivity Commission Report on Overcoming Indigenous Disadvantage. As I have stated in this place many times, the government is committed to closing the gap in Aboriginal disadvantage but we need to work with Aboriginal South Australians to support better outcomes across all of government programs and policy initiatives across all levels of government.

The national Overcoming Indigenous Disadvantage report was released today, and for those who are not aware, the report measures the wellbeing of Aboriginal Australians across seven strategic areas, including governance, leadership and culture; early childhood development; education and training; healthy lives; economic participation; home environment; and safe and supportive communities. The report is released every two years and has recently undergone a review process to strengthen alignment to the National Indigenous Reform Agreement.

Taking a brief look at the overall information in this report, nationally there are areas of improvement, such as the fact that the gap in life expectancy between Aboriginal people and non-Aboriginal people has narrowed, Aboriginal infant mortality rates have more than halved, and better higher education outcomes for Aboriginal persons have been achieved. There are also areas where, on a national level, there certainly needs to be more focus, such as Aboriginal student outcomes and achievements in basic reading, writing and numeracy, relatively high levels of family and community violence, and relatively high rates of disability and chronic disease.

South Australia is making good progress in relation to a number of these COAG targets. Of the five jurisdictions where state-level data is available, South Australia had the second lowest rate of Aboriginal child deaths after New South Wales; 100 per cent of Aboriginal four year olds in remote communities have access to early childhood education; and retention rates for year 8 to 12 Aboriginal students in government schools has doubled from 33.1 per cent in 2002 to over 75 per cent in 2013.

Between 2008 and 2013, the reading gap for Aboriginal students has improved across all year levels by between 2.4 and 16.8 percentage points, and over the past four years, post school qualification rates for Aboriginal people have improved. The South Australian government is targeting improvements in all areas covered by the report through our efforts to improve Aboriginal wellbeing through South Australia's Strategic Plan and COAG's Overcoming Indigenous Disadvantage targets.

This government is also looking ahead to greater achievements in all of these areas, and some of our examples to this commitment include ongoing support for Aboriginal and Torres Strait Islander children to attend preschool for up to four sessions per week from three years of age; the establishment of 38 children's centres for early childhood development and parenting across the state; and culturally inclusive pre- and postnatal birthing services, which has resulted in healthier birth weights and a lesser need for acute hospital or nursery care, whilst improving breastfeeding rates.

More broadly, the government is thinking about our approach to improving outcomes through our considered response to the Forrest review, which may also have a positive impact on several policy areas. I understand the Commissioner for Aboriginal Engagement has handed her findings of the community consultation she undertook to the Premier. On 17 November, senior officers from Department of the Premier and Cabinet, the state Department of the Premier and Cabinet and the Department of State Development met for a preliminary bilateral discussion about the Forrest review, and jurisdictional support for their recommendations.

Our Aboriginal Regional Authority initiative, which brings together strong regional representative structures, will provide a valuable two-way communication mechanism for government and Aboriginal organisations and communities to make decisions on matters of importance to Aboriginal people, decisions that will positively impact on the lives of people that the regional authorities represent.

I would also like to mention our commitment to our draft legislation that will recognise a self-determining governance structure for Aboriginal communities. This legislation will also recognise the unique cultural authority of Aboriginal communities and set out guiding principles for cooperation between government and Aboriginal communities. It will be complemented by community capacity-building initiatives that will support improved governance in Aboriginal organisations.

Providing a legislative avenue for Aboriginal organisations to take greater control of how they are able to make headway into reducing disparity between Aboriginal and non-Aboriginal people in this state is very important, but there are further areas that require attention. I mentioned one of them in a previous answer to a question. The honourable member asked me a few weeks ago about smoking rates, particularly smoking rates for pregnant women.

There are other areas noted in this report that need further attention by governments across all levels, including imprisonment rates, juvenile detention rates most particularly; reported high levels of psychological distress; and increasing incidents of intentional self-harming activities, including suicide ideation and, of course, carrying out suicide. This government is committed to working with other states, the commonwealth and Aboriginal communities to jointly address these issues and continue our work in closing the gap.

SCHAEFER, HON. C.V.

The Hon. J.M. GAZZOLA (15:06): My question is to the Minister for Sustainability, Environment and Conservation. Will the minister inform the chamber about the great contribution made by the former honourable, Caroline Schaefer, as the presiding member of the Northern and Yorke NRM Board?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (15:06): I thank the honourable member for his most important question. Last night I had the very great pleasure of joining other presiding members of NRM boards to honour and thank the Hon. Caroline Schaefer for her significant contribution to natural resources management in our state. Caroline spent four years as the presiding member of the Northern and Yorke NRM Board before resigning in September 2014.

My colleagues in this place will of course remember Caroline from her time as a member of the Legislative Council from 1993 to 2010. Caroline served as the government whip in the Legislative Council from 1996 to 2001, I understand, and she sat on the Natural Resources Committee from 2003 to 2010. She was the first and, I believe, still the only woman in Australian politics to be appointed as Minister for Primary Industries, and her significant political achievements make her a very worthy role model for politically active women in South Australia, particularly in regional South Australia.

In addition to her deep understanding of NRM matters, Caroline also possesses a very acute understanding of the political process, and she has a very keen political nose. This great understanding of regional South Australia that she possesses, and also an understanding about the people and the challenges that are faced by people living in regional rural South Australia, make her a very effective NRM advocate and presiding member of the board.

Caroline's background, of course, is in farming. She has tirelessly championed, both in her role on the Northern and Yorke NRM Board and throughout her political career, farmers and their interests and I think Caroline can be very proud of her focus on the farmers' initiative, which is often referred to as Farmers First. Caroline, in my experience at least and I think my leader, the Hon. Gail Gago would concur, also put issues and getting things done ahead of politics.

In fact, the thing that I most appreciate from our time working together was her bipartisan spirit on the matter of actually achieving good things for our state. She was highly dedicated to her rural community, of course, and this meant that she always strove to achieve the best outcome for the local communities and the local environment that she represented. As we all know, Caroline was not, and is not, afraid to be very frank in her opinion and advice, and she warned me last night that she still has my mobile phone number and she will be taking advantage of it from time to time.

In her time as a presiding member Caroline demonstrated incredibly effective leadership for her community and a commitment to the Northern and Yorke NRM Board in the region, and this is not always an easy task, given that the Northern and Yorke region is a highly diverse region, ranging from some of the most remarkable coastal landscapes in South Australia through to semi-arid rangelands.

It also encompasses a huge variety of land uses, including the best soil farming country in the state, according to Caroline, pastoral land and grape growing. She led the NRM board in a spirit of collaboration and partnership and ensured that the board actively engaged with a range of stakeholders and, in particular, local government.

Perhaps Caroline's greatest contribution, though, was her strong focus on investment in young people. She understood that we need to engage young people in the environment to ensure that they continue to carry on this important work. Under Caroline's tutelage, the region supported education programs that focused on sustainability in NRM, such as the Appila Springs and sporting education days under the Australian Sustainable Schools Initiative. Thanks to these initiatives, Caroline will be leaving a strong and positive mark on the Northern and Yorke region.

I very sincerely thank Caroline for her substantial contribution, for her honesty and openness and for the commitment she has shown to South Australia's regional communities. She has often remarked to me, 'I don't know why I am working for you—a minister and a government which I didn't vote for and which I don't support—but you have offered me an opportunity to make a difference for my community.' On behalf of that community and all of us in parliament, I say to Caroline Schaefer, 'Thank you.'

SUICIDE PREVENTION

The Hon. J.S.L. DAWKINS (15:11): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation, representing the Minister for Mental Health and Substance Abuse, questions regarding the implementation of the South Australian Suicide Strategy 2012-16.

Leave granted.

The Hon. J.S.L. DAWKINS: During the estimates process held in the other place this year, the honourable member for Morphett asked the Minister for Mental Health and Substance Abuse a number of questions regarding the implementation of the government's 2012-16 Suicide Prevention Strategy. On Wednesday of last week in the other place, the minister tabled his response to these questions, which he had taken on notice. I was specifically interested to read that—and I quote from the minister's response:

A South Australian government suicide prevention implementation committee will be established in the coming months to unite government departments, supporting them in the implementation and ensuring the objectives in the 'South Australian Suicide Prevention Strategy 2012-2016: Every life is worth living', relevant to each government department, are fulfilled.

I support the establishment of such a committee but, having had the experience as chairman of the Olsen government's regional development issues group, which was a similar group and which brought together representatives from departments and agencies across government, I found that, when that group started, everybody was engrossed in their own silos, and I think that this could be the case with the establishment of such a new committee. I indicate that I think that the important choice of the chair of that committee will be essential, and I wish the government well in that choice. My questions are:

1. Will the minister advise the council when the South Australian suicide prevention implementation committee will be established?
2. Given that the government's Suicide Prevention Strategy was established in 2012, why has it taken the minister almost two years to establish the implementation committee?
3. Who will chair the committee?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation)

(15:14): I thank the honourable member for his most important questions and his ongoing advocacy in this very important policy area. I undertake to take the question to the Minister for Mental Health and Substance Abuse in the other place and seek a response on his behalf.

The PRESIDENT: Just to the members of the press up there: after question time there is 35 minutes of matters of importance, so just in case you didn't realise that, there will be 35 minutes of speeches before you get to the article I believe you are looking for.

DISABILITY SERVICES

The Hon. K.L. VINCENT (15:14): I seek leave to make a brief explanation before asking questions of the minister representing the Minister for Disabilities regarding the Public Advocate's annual report.

Leave granted.

The Hon. K.L. VINCENT: Yesterday, as members will know, the 2013-14 annual report of the Public Advocate, John Brayley, was tabled in this place. Part A of that report includes an overview of major matters arising during the year. The report speaks of significant concern regarding unmet need, the lack of a senior disability practitioner with statutory powers, the need for a reformed state disability act, and the need for a specific forensic disability service.

Dignity for Disability notes in particular that, as of 30 September 2014, the category 1 disability unmet needs list, representing people at critical risk of homelessness or high risk of self-harm or harm to others, stands at a record high of 1,743. We also note that in 2011 the Social Inclusion Board recommended the clearing of the category 1 and 2 unmet needs lists in a single budget cycle. My questions to the minister are:

1. When will the minister take action to arrest the ever-growing category 1 unmet needs list, as recommended by the government's own Social Inclusion Board report back in 2011?

2. When will the minister enshrine the statutory authority of a senior disability practitioner in legislation, as recommended by the Public Advocate and included in amendments I proposed in the government's Disability Services (Rights, Protection and Inclusion) Amendment Bill 2013?

3. When does the minister intend to draft a new Disability Services Act in light of the impending full implementation of the National Disability Insurance Scheme and as recommended by the Public Advocate?

4. What is the minister's opinion on the establishment of a separate forensic disability service, in consultation with the health minister, to better service people with disabilities who are deemed unfit to plead in the criminal justice system?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (15:17): I thank the honourable member for her most important questions and will refer those to the Minister for Disabilities in another place and bring back a response.

NORTH ADELAIDE POLICE STATION

The Hon. D.G.E. HOOD (15:17): My question is to the minister representing the Minister for Police. Does the government have any plans to either close or reduce the opening hours of the North Adelaide Police Station on Archer Street?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (15:17): I thank the honourable member for his important question and will refer that to the Minister for Police in another place and will be happy to bring back a response.

APY LANDS, FOOD SECURITY

The Hon. T.J. STEPHENS (15:17): I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation a question about the APY food security strategy.

Leave granted.

The Hon. T.J. STEPHENS: The government released a report yesterday presumably authored by the Department for Communities and Social Inclusion, who now have responsibility for the strategy. It states that the annual report, which was a key component of the strategy, will cease and that the strategy has been cut short by two years because the government believes that the key priority areas have been addressed. My questions to the minister are:

1. If not DCSI, who was the author of the report?
2. Given that the government admits that many objectives of the strategy have not yet been achieved, why has the government abandoned the strategy in the annual reporting?
3. What role will Matrix on Board play in APY food security and who will have oversight of food security issues in the 50 per cent of community stores not administered by Mai Wiru?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (15:18): I thank the honourable member for his most important question. This government, of course, as I have said many times, is committed to improving the health and wellbeing of Aboriginal people living on the APY lands and is continuing to deliver on this commitment by following through the plan to increase the availability and consumption of healthy food. Poor nutrition is one of the prime causes of the higher rate of obesity and diabetes, high blood fats and hypertension amongst Aboriginal people living in the communities of the APY lands.

In December 2010, the then minister for Aboriginal affairs launched the APY Lands Food Security Strategy 2011-2016. The purpose of the strategy aimed to provide a framework to address the structural and systemic challenges of improving food security for Aboriginal people living on the APY lands. In 2011, the APY Lands Food Security Executive Action Team (APY-EAT) was formed and included representatives from the state and commonwealth governments, service providers and the APY executive. It was led by the then Aboriginal affairs and reconciliation division of the Department of the Premier and Cabinet, now known as the Department of State Development, Aboriginal Affairs and Reconciliation.

The APY-EAT identified seven priorities to guide activity under the strategy: financial wellbeing, freight improvement, consumer protection, store management supports, education, home management supports and discrete project development. APY-EAT also guided the production of evaluation reports in years 1 and 2 of the strategy and these reports were published online, I am advised. In July 2013, the responsibility for the lead of the strategy was transferred to the Department for Communities and Social Inclusion for 12 months under machinery of government changes. The 2013 budget of \$360,000 for the strategy was also transferred. This included the salary and on-costs of a senior project officer.

This budget was also used to fund Ninti One, a company that employs Aboriginal researchers to learn more about the purchasing, eating and cooking habits of Anangu. Building on the findings of previous freight reports commissioned as part of the strategy and recognising the need to work closely with APY lands stakeholders in driving the strategy, it was agreed that activity under the strategy would support a review of the food procurement supply chain by Mai Wiru and Foodbank SA.

The purpose of the review was to develop a new way of providing lower cost and better quality food to Mai Wiru stores on the lands. The process was facilitated and funded by the Department of the Prime Minister and Cabinet with assistance from the Department for Communities and Social Inclusion. In early 2014, Mai Wiru and Foodbank presented a business plan outlining a new model of operating, which is intended to:

- deliver fresher fruit, vegetables and meat at a cheaper store price through reduced transport time and improved cold chain integrity;

- maintain the funding for Mai Wiru community benefit programs that support cultural and ceremonial activities and participation in sporting activities; and
- ensure the financial viability of Mai Wiru and remove the need for any future government funding.

Mai Wiru expects the price of healthy foods, I am advised, to be reduced by about 10 to 15 per cent. Other stores at Mimili and Indulkana are in discussions with Mai Wiru regarding use of the new freight service. The business plan identified the need for \$600,000 in transitional funding to support the project. This proposal was strongly supported by APY lands stakeholders, I am advised.

In June 2014, following a presentation of the business proposal, a decision was made by the Department of the Prime Minister and Cabinet and Aboriginal Affairs and Reconciliation that it would be appropriate to focus the government food security effort on supporting this project. It was agreed that part of the funding necessary to support the project will be provided through contributions from the South Australian government of \$100,000 and the commonwealth government of \$300,000, with the remainder of \$200,000 sourced through a loan arrangement with Indigenous Business Australia.

Mai Wiru commenced the new freight service from Adelaide to the APY lands on Monday 15 September of this year. The Department for Communities and Social Inclusion is currently trialling the ordering of all goods for the Home and Community Care program at Pipalyatjara via the local store to help increase their buying capacity. In terms of food accessibility, this government, through the Department for Communities and Social Inclusion, partnered with the commonwealth government to provide a range of money management services on the APY lands, ranging from community education about general money issues to individual assistance with debt management.

A recent independent survey of money issues on the APY lands revealed that the biggest worry of Anangu was 'not having enough money to buy food'. Another key initiative related to food use, in which DCSI partnered with Aboriginal Affairs and Reconciliation to develop a 2014 Calendar of Healthy Meals, which was distributed throughout the lands. In-store cooking demonstrations on the APY lands to promote the use of recipes was also utilised.

MCLAREN VALE PRESCRIBED WELLS

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Aboriginal Affairs and Reconciliation) (15:23): While I am on my feet, with the leave of the council, I will answer a question asked of me by the Hon. Michelle Lensink, which I took on notice. McLaren Vale irrigators currently have access to their full annual water allocation. However, their rollover volumes, where applicable, are still being finalised by the department. Updated licences, which will include the rollover volume, are expected to be sent to licensees within a fortnight. In the interim, should any McLaren Vale irrigators have any questions about their allocation, they should contact the DEWNR water licensing unit on 8463 6876.

Matters of Interest

FEAST FESTIVAL

The Hon. T.A. FRANKS (15:24): I rise today to speak on the Feast Festival and pay tribute to that wonderful event that kicked off on Saturday night. I attended the pride march, as did my parliamentary colleague, the Hon. Mark Parnell, and the newly-elected Adelaide City Councillor, Robert Simms. I am sure many other members of parliament have, in the past, attended that event, if they were not amongst the record crowd of 2,500 plus on Saturday night celebrating the beginning of Feast Festival.

That festival and the Pride March commemorates quite historical marches for the gay community, marches that were not necessarily as celebratory as we saw on Saturday night. Certainly, we have a lot to celebrate, although there is a lot to be done when it comes to working towards equality on the grounds of gender and sexuality, not just in this country but, of course, across the world.

I pay particular tribute to Feast. It is an Adelaide icon. It is Adelaide's queer arts festival. It happens every year. It has been happening since 1997 when it was begun by a group of arts and

community cultural workers: Margie Fisher, Damien Carey, Helen Bock and Luke Cutler. It has gone on to become the largest LGBTI-curated cultural festival in our state and I would imagine one of the larger ones in the world.

It has a lot to celebrate and there is a lot to go out and see, and I certainly encourage members to go and see one of the many shows or attend any of the many events, but it has a very powerful reason for its existence; that is, the history of discrimination against people on the grounds of either their sexuality or indeed their gender, particularly their gender identity.

South Australia, I am very proud to say, was visionary. Forty years ago next year, we were the first state to decriminalise homosexual acts. I think that was a welcome move, and we know the very proud visionary leadership of Donald Dunstan did have much to do—

The Hon. J.M.A. Lensink: And Murray Hill.

The Hon. T.A. FRANKS: Of course, I was getting to Murray Hill as well. It was indeed one of those wonderful concurrences where many members of different political parties worked for a very long time and finally that particular bill to decriminalise homosexuality under the Dunstan government was passed. Of course, it was not passed on the first attempt and it took many attempts to get there.

It also took the deaths of men like Dr Duncan, who, as I have said in this place before and as all members would be aware, was thrown into the Torrens River and murdered. We know that those people who murdered him were never called to account and were never made culpable for that murder, but we do know that he died at their hands. We also know and pay tribute to the fact that that death exposed what was truly going on in our society and led to those very welcome legislative changes.

There is a lot more to be done when it comes to equality. Marriage equality is just one issue that the Greens have supported: every member of parliament, every vote, every time. It is our party policy. I will be bringing back a bill next year in the new session to recognise marriages in other jurisdictions. New South Wales has done it, Tasmania has done it and Queensland has done it; South Australia can do it next year. That can be on the agenda for next year.

Another thing that can be on the agenda for next year is to apologise for those convictions for sodomy. This parliament, late last year, as I mentioned in question time, did indeed move to expunge those convictions, and that is a very welcome move. Next year, to mark that 40th anniversary of the decriminalisation of homosexuality, there is a homosexual histories conference taking place in South Australia. So, that will be a very appropriate event at which to mark and apologise for those convictions and the deep hurt and discrimination it has caused those men over many decades, in fact for large parts of their adult life, that covered their employment, their ability to get the jobs that they really wanted and indeed their standing in the community by having those convictions on their record.

I also note that 13 councils across South Australia, for these two weeks of the Feast Festival, are flying the rainbow flag. Joining the Adelaide City Council, the City of Charles Stuart, the City of Marion, the City of Playford, the City of Port Adelaide Enfield, the City of Port Augusta, the City of Port Lincoln, the City of Prospect, the City of Salisbury, the City of Unley, the City of West Torrens, the District Council of Mount Barker, is the Town of Gawler, the Hon. John Dawkins will be pleased to know, and I would say that—

The PRESIDENT: The Hon. Ms Franks's time is up.

The Hon. T.A. FRANKS: —this place should also fly the rainbow flag to mark next year's 40th anniversary of that decriminalisation.

Time expired.

SAMMY D FOUNDATION

The Hon. R.L. BROKENSHIRE (15:30): I rise on this important matter of interest to put on the public record some concerns that have been brought to me by constituents. I noted some time ago that after minister Weatherill became Premier he put out a press release allocating \$1 million to the Sammy D Foundation. The Sammy D Foundation has good intent and I, as everyone in the state,

the nation and the world for that matter, feel for the family, as no-one would ever want to lose a child. However, I did at that time think that that was a huge amount of money to give to one organisation.

A few weeks ago an informant contacted me over concerns about the process of providing the \$1 million. After consideration, further meetings and examining documents, I believe it was incumbent on me, through the parliament, to raise this very serious issue and what was told to me by the informant. After consideration, I would say that this is the appropriate venue for me to raise this matter, and I will now put a formal request through my MOI for the Budget and Finance Committee to investigate this matter.

I am advised by sources that when the Premier was still the minister for education he did finally agree to meet with Ms Nat Cook. It was actually just before the announcement of the new Premier. I am advised that during that meeting there was much disruption due to the number counting going on in minister Weatherill's office before he became Premier.

I am further advised from solid sources that Ms Cook had advised people that she was actually annoyed with the disruption at the meeting, and I understand that the now Premier understood that it was very disruptive and may have shared some of what was happening with her and advised her that he would look after her request in the future, once he became Premier.

Approximately one year later media stories occurred about alcohol-fuelled violence, embarrassing the government. Through a press release on 12 September, the government advised on the Premier's press release letterhead that Ms Cook's foundation would receive a \$1 million grant.

The Attorney-General's Department was working across government with a plan, as you would expect it would. I am advised that at that point in time no specific money had been appropriated and the Attorney-General's Department was ordered to find the money. My informant advises that the Attorney-General's Department was unaware of any tender process, background research or assessment that took place prior to the decision by the Premier to allocate \$1 million of taxpayers' money.

Mr President, you cannot grant an amount of this size without tender and open and transparent processes, and taxpayers expect this government, as indeed any government, to work within proper guidelines and probity. It appears that this did not happen and therefore I call for an investigation. I again say that I believe the best way to do that is through the Budget and Finance Committee.

I see in a transcript in this documentation allegations that the Premier has further committed—if the Abbott government does not—\$297,000 to that foundation. Coincidentally, soon after my informant met with me, it was reported that the Premier had leaned on Ms Cook to be the Fisher candidate.

This is an issue that must be investigated. We are in a desperate situation in this state and, if we are to have a new start, if we are going to be prorogued, and if we are to believe this government at all, then we need to see proper accountability, proper transparency and proper processes. I know the Attorney-General's Department and the people who work there because I worked there for some time. They are sticklers for wanting to have that probity. My informant—and I believe my informant is very reliable—told me that those processes certainly did not occur.

It does not matter whether you are a minister or a Premier, you still have to abide by the processes. In conclusion, I also ask that the Budget and Finance Committee look at the appropriation lines in the foundation's 2013 financial statement, as in 2012 and 2013 government grants at \$808,908.70 are shown as being provided, and it is important that adequate appropriation of that grant funding is examined.

PALESTINE

The Hon. K.J. MAHER (15:35): A search for a lasting peace in the Israel-Palestine conflict is not something I have considered in great depth in the past. Occasionally people, even those involved in politics, can suffer from taking a knee-jerk, ideological position or reaction without properly considering the evidence and stand-alone merits of an argument. Because it is such a complex issue, and for fear of only espousing an unconsidered ideological position, I have not been engaged as I ought with the issue of Palestinian statehood.

I am grateful to a number of people who have provided me with the benefit of their views on this issue recently. In particular, I wish to thank Dr Sam Shahin, from the Australian Friends of Palestine Association, for providing a valuable starting point to better explore and understand the issues involved. It is certainly not an area over which the South Australian Legislative Council has a great deal of influence. However, the principles of fairness and equality are universal and ought to be applied to any situation.

Mr President, as you know, the South Australian Branch of the Australian Labor Party held its annual convention last weekend, and I am proud of the worthwhile debate that was held on the topic of a Palestinian state and the motion that was passed. The motion that was passed stated:

That this conference, in the United Nations International Year of Solidarity with the Palestinian people, supports the enhanced status of Palestine at the UN General Assembly and joins the international community in calling for an enduring ceasefire, including an end to Hamas rocket attacks on sovereign Israeli territory, and the end of the blockade of Gaza.

The motion, quite sensibly, recognises the need and the right for all who live in this area to security and to live a life without a threat to personal safety and well-being. The motion that was passed went on to say that the conference:

Applauds the previous Labor government for its commitment to a two-state solution in Israel-Palestine and specifically voting to enhance Palestinian status in the General Assembly, restating that the West Bank including Jerusalem is occupied under international law, and opposing illegal Israeli settlements on occupied Palestinian land.

Occupation of Palestinian land that is illegal under international law has now lasted for 47 years, and there are some 500,000 settlers. Settlements have doubled in the last four and a half years alone. Most instructive on this issue is the 2004 International Court of Justice advisory opinion on the construction of a wall on occupied Palestinian territories.

The 14 to 1 majority opinion held that the construction of the wall and its associated settlement regime was in violation of international law and the right of Palestinians to self-determination. Time today does not allow me to go into greater detail on this judgement. However, I congratulate Senator Nick Xenophon for a speech he made earlier this year that provides a very good summary and analysis of the International Court of Justice decision, and I commend that speech to anyone interested. The motion passed by the South Australian ALP continued:

SA Labor recognises peace in the Middle East will only be assured by the foundation of the Palestinian state based on 1967 borders with agreed land swaps and security guarantees for itself and Israel. SA Labor welcomes the decision of the Palestinian authority to commit to a demilitarised Palestine with the presence of international peace keepers including US forces.

This is consistent with the overwhelming views of member states of the United Nations General Assembly. In 2012 UN resolution 67/19 was passed, with 138 nations voting for it and just nine nations voting against. Importantly, UN resolution 67/19:

1. Stresses the need for the withdrawal of Israel from the Palestinian territory occupied since 1967...and complete cessation of all Israeli settlement activities in the occupied Palestinian territory.
2. Reaffirms the right of Palestinian people to self-determination and to independence in their State of Palestine on the Palestinian territory occupied since 1967.
3. And confers on Palestine non-member observer state status in the United Nations.

The ALP motion concluded:

If, however, there is no progress to a two state solution, and Israel continues to build and expand settlements, a future Labor government should join 132 likeminded nations in conferring diplomatic recognition on the Palestinian Authority.

I believe the number of nations that have conferred diplomatic recognition on the Palestinian Authority is now close to 140, with Sweden recently doing so. Only last month in Britain the House of Commons passed a motion with a majority of 274 votes for and 12 votes against that states:

That this house believes that the government should recognise the state of Palestine alongside the state of Israel as a contribution to securing a negotiated two-state solution.

I am proud of the motion passed by the South Australian branch of the Labor Party. When one believes in notions of fairness and equality and accepts the rule of law, one cannot pick and chose

what one applies it to. Australia and the international community need to do more to ensure the realities of the principles behind the motion passed, the International Court of Justice opinion, and UN resolutions.

OIL AND GAS SECTOR

The Hon. R.I. LUCAS (15:40): Mr President, it will not surprise you and other members to know that ever since the member for West Torrens refused to pay up on a \$50 gambling debt back in 2001 I have not held the member in high regard. I have therefore been intrigued to note the extraordinary response from the member for West Torrens to a series of reasonable questions being put by members of the media and parliament on an exploration licence issue. This issue first started publicly when that well-regarded reporter Sarah Martin from *The Australian* wrote a story on the 10 September this year, and she said:

South Australia's Labor government awarded a lucrative petroleum licence to a company with no experience in the oil and gas sector and that has since been found to have misled shareholders in a takeover bid.

In April 2011, Mining Minister Tom Koutsantonis said Ambassador Exploration, a company wholly owned by Melbourne-based property developer Kleo Hatziladas, had secured the licence in the northern Cooper Basin.

Ambassador won the licence by 'guaranteeing' it would spend over \$33.5 million to drill eight wells over a five-year period. To date, it has not drilled any wells in the 2400sq km licence area.

Further on, she states:

In its prospectus released for a subsequent listing on the ASX, the company said it had 'no operating history in the oil and gas industry and no meaningful historical financial information or track record'. It warned Ambassador had 'no petroleum reserves, production licence, commercial production, no prior or current cashflow, revenues or profits.

Following up from that in parliament on 12 November, the member for Stuart raised some reasonable questions, asking:

...what due diligence was done by the government prior to issuing Ambassador their exploration licence in the Cooper Basin, given the company had no operating history in the oil and gas industry?

The Hon. Tom Koutsantonis said:

That is an offensive question. If the member has an accusation to make, he should make it and then he should walk outside and make it again.

He then went on with similarly intemperate language. Following on from that, on 13 November the member for Stuart again asked a reasonable question:

Can the minister advise if relevant prior operating history is a prerequisite to successfully tender for a petroleum exploration licence?

The Hon. Mr Koutsantonis' response was:

Mr Speaker, this is a pretty grubby question by the member for Stuart, trying to imply—

All the question asked was whether relevant prior operating history was a prerequisite to successfully tender. In looking at the extraordinary response from the member for West Torrens, I am reminded that his behaviour is somewhat akin to that of the schoolyard bully. The member for West Torrens loves to dish out the tough stuff, but he cannot take any little bit of pressure at all. As soon as a little bit of pressure is turned up, he squeals like a stuck pig.

The Hon. K.J. Maher interjecting:

The Hon. R.I. LUCAS: Mr President, the member for West Torrens, for example—

The PRESIDENT: The Hon. Mr Maher is called to order.

The Hon. R.I. LUCAS: —straight after the budget, refused to debate either the Leader of the Opposition or the shadow treasurer on the budget; he refused to debate on FIVEaa and refused to debate from a number of other media outlets because he was squibbing or too scared to front up to defending the budget either the Leader of the Opposition or to the shadow treasurer. These are just reasonable questions, and just because the member for West Torrens squeals like a stuck pig

does not mean that the member for Stuart, or indeed hardworking members of the media, are going to be frightened off from asking reasonable questions.

If, as Sarah Martin has asserted, that in winning the licence this particular company guaranteed it would spend \$33.5 million to drill eight wells over a five-year period, and she asserts that when she wrote the story three years later it had not drilled any wells in the 2,400 square kilometre licence area, if that information is correct, and the member for West Torrens is in a position to provide information on that, then they are not unreasonable questions.

The member for West Torrens is not going to get away with, as I said, squealing like a stuck pig and saying, 'It is a grubby question,' and 'Go outside and ask the question'. These are reasonable questions being asked outside the parliament by journalists and inside the parliament by members of parliament. People are not going to be diverted, as I said, by the member for West Torrens trying to play the 'I'm hurt and offended that you are asking unreasonable questions in relation to the issue.'

As I said, the member for West Torrens has to toughen up a bit. He is a little bit precious in these issues. A little bit of heat is turned up on him and he squeals like a stuck pig and runs away from any sort of debate and answering questions. He needs to toughen up.

Time expired.

DEFENCE INDUSTRY

The Hon. T.T. NGO (15:45): Previously in this place I expressed my deep concern regarding the future of the defence industry in our state. Before the last federal election, on 8 May 2013, the now Minister for Defence, David Johnston, stood outside ASC and promised unambiguously that the coalition would build 12 submarines in Adelaide. We all know that commitment is now under review. In his recent opening address to the submarine institute he stated, 'I can say there will be more submarines and that means jobs for South Australia.'

This is of some relief, but we still do not know how many jobs will be in South Australia. In this address he also only guaranteed that Australia will acquire at least six submarines, but did not promise that they will be built here. It is also less than the 12 submarines that he originally promised before the federal election.

Today I would like to focus on the broader positive aspects of building our new generation of submarines right here in the defence state. These aspects are national security and nation building. Before I elaborate, I ask that my remarks are considered in the context of what I hope constitutes a bipartisan push to keep this and other leading maritime projects local and in South Australia.

The Governor-General and former ADF Chief Sir Peter Cosgrove—a very good man and a former Vietnam vet—highlighted the importance of local submarine building in a speech he made in 2013 in his capacity as chair of the Defence SA Advisory Board. On national security he said:

Current Australian Government policy aims for self-reliance in the direct defence of Australia. That doesn't preclude a degree of dependence on allied nations [of collaboration on certain technologies], but it is in our interests to develop, own and keep as much intellectual capital and capability as possible.

These requirements may not have been adequately met in the Japanese bid. This may explain why the defence minister is now considering other options through a tender process. On cost, the Governor-General stated:

There is no real advantage in outsourcing the initial submarine build to another country when the real grunt work to keep the submarine fleet working is carried out in Australia by the same skilled workforce using specialised infrastructure.

It has been reported that 12 submarines built overseas will cost roughly between \$20 billion to \$25 billion, compared to about \$30 billion to \$35 billion to build in Australia. The new submarines project goes for 30 years. Therefore, if we build 12 submarines, it will cost about \$10 billion more to build them here which, over a 30-year period, works out roughly as \$333 million a year. This amount can be easily recouped when we take into account the cost of sending submarines to Japan for regular maintenance. Finally, on nation building, Sir Peter Cosgrove, said:

Our future submarine building project will ultimately not confine itself to the next 12 submarines. It sets a course towards the creation of an evolutionary industry—one of continuous build and continuous improvement, ingenuity and innovation.

I have quoted the Governor-General directly on this issue because I could not put it better myself. Finally, I urge honourable members from all sides of politics in this council to put as much pressure as they can on the federal government to ensure that the next generation of submarines is built and maintained here in South Australia and Australia.

DISABILITY EMPLOYMENT

The Hon. K.L. VINCENT (15:50): Today, I would like to speak about broad issues related to the employment of people with disabilities, particularly those with intellectual disabilities. I was very disappointed, as I am sure other members of this chamber were, to learn, through the Auditor-General's recent report, of the underpayment of several employees who were employed at what was the Strathmont Centre laundry. It is without a doubt outrageous that this underpayment had occurred and that apparently it had happened for some time without the opportunity for these workers to be represented by a union or other people defending their rights to an adequate wage. However, it is unfortunately just one example of the systemic disadvantage that many people, particularly those with intellectual disabilities, face when it comes to the Australian workforce.

Almost half of people with disabilities in this country live at or below the poverty line and undergo unfair wage assessment, which sees many of them being paid less than the minimum wage, something that would be considered immoral and illegal for any other worker without disability, and this often occurs in a misguided attempt to preserve their entitlement to commonwealth benefits such as the disability support pension or health care card. This occurs in what are known as sheltered workshops or Australian disability enterprises, which are, in my view, a relic of a bygone era and an unsatisfactory answer to an outdated question.

To keep people in sheltered workshops or Australian disability enterprises on the basis of their disability is like saying that the way we should solve racism in the workplace is to make sure that all people who are non-Caucasian work in a separate factory to those of us who are, or the way we solve the issue of unequal pay for women is to again have them work in separate workplaces where they are assessed differently and paid different wages. We would not tolerate these solutions to these problems, so why should we continue to tolerate them for the issue of payment of people with disabilities?

Another example is like observing that many people in the workforce who are left-handed have trouble operating the tools used by those of us who are right-handed. Therefore, do we put them away in a separate workshop where they can use tools specifically for their left-handedness, where they can work at their own pace, or where they can be paid and wage-based just on their productivity because of the fact that they are left-handed? We would not tolerate this. Why then are we still tolerating the underpayment and immoral low wages for people with an intellectual disability based on the fact that they may produce fewer products than those of us who are not intellectually disabled?

I do not get paid less on the days I am less productive, and I do not get paid less for having social interaction as part of my work. Why then should these workers be expected to tolerate this? I also refute the argument that these sheltered workshops provide parents of people with intellectual disability a much needed break from their parenting duties and also give the person the ability to socialise with others outside their family home. It is my view that, if this is what a person needs and they need support to socialise, they should be funded to have that support, as well as be given the opportunity to be given fulfilling and fairly-paid work.

If the aim of work is not to earn a living wage and the dignity that comes with that, then it is not really work at all. It is ridiculous that, in a wealthy country like Australia, we continue to find excuses to underpay workers just to make ourselves feel better about providing people with disabilities socialisation and other opportunities. As I said earlier, none of us are paid less on the basis that we enjoy our work and make friends through doing so, so we need to make sure the funding is available for people with disabilities both to be supported to have social opportunities if that is what they need and to earn a living, adequate, dignified wage.

This argument is not just about the dignity of work: it is an argument that is fundamentally about the dignity of a human life and about whether the opportunities offered to that life should be less just because of the way that person was born. I understand that changes are coming under the National Disability Insurance Scheme, and that makes it even more important that we as a parliament and as a country work together to ensure the dignity of work and the dignity of a fulfilling life for all Australians.

RIVERLAND SUSTAINABLE FUTURES FUND

The Hon. G.A. KANDELAARS (15:55): I have previously spoken in this place about the Riverland Sustainable Futures Fund and some of the projects that have received funding through this valuable program. Just to reiterate, the four-year \$20 million Riverland Sustainable Futures Fund was announced by the South Australian government in February 2010 to facilitate the region's recovery from a prolonged drought. On a recent visit to the Riverland, I had the opportunity to visit a number of businesses that have received funding through the fund. I would like to talk about two of these firms: Riverland Almonds at Loxton and Ingerson Citrus at Bookpurnong, just out of Berri.

I was shown around Riverland Almonds by Colin Watkins, operations manager of their Loxton facility. Riverland Almonds is South Australia's second largest packer and marketer of almonds, behind Almondco, and has a strong history in growing, processing and packaging almonds. Riverland Almonds has operated since 1993. The company maintains strict safety and quality assurance accreditation and is one of Australia's leading almond processors.

Riverland Almonds was awarded over \$608,000 through the Riverland Sustainable Futures Fund towards the installation of a new radio frequency pasteuriser and retail packaging line in the almond packaging facility at Loxton. They sought the pasteurisation machinery to reduce the risk of microbiological contamination in order to meet anticipated changes in food safety and marketing standards. They also received funds towards a vertical form fill seal and packaging line, enabling the company to package products locally to meet market needs.

In my discussion with Colin Watkins, I was informed that over 60 per cent of Riverland Almonds' production was export oriented. I was also impressed by the constant desire to be innovative. One example was the company's trialling the roasting of almonds using the new pasteuriser. There is very little wastage in the processing of almonds, and Colin and his team are always looking to improve the processes. Other significant benefits of the project include the creation of 12 new jobs.

Another business I visited whilst in the Riverland was Ingerson Citrus at Bookpurnong, and I was very fortunate to have David Ingerson, managing director, show me the firm's new packing sheds. David is extraordinarily knowledgeable about the citrus industry. Ingerson Citrus is a Riverland-based, family-owned citrus growing, packaging and marketing enterprise operating 200 hectares of citrus orchards strategically located across the region. It has been operating since 1931.

The business specialises in the production of new, high-value citrus varieties that meet domestic and export market trends, particularly mandarins. The Ingerson family operates a successful and profitable large-scale citrus enterprise, growing and packaging their own citrus under the Ingy's brand. The company is well-established in the citrus packaging industry with existing export marketing linkages. In fact, over 60 per cent of produce is exported to the likes of New Zealand, the United States, China and Sri Lanka, to name a few.

In response to the citrus industry trend and international demand to supply easy-peel seedless mandarins, Ingerson Citrus dedicated 70 hectares of its Riverland properties to the production of four varieties of easy-peel seedless mandarins. Ingerson Citrus was awarded some \$420,000 through the Riverland Sustainable Futures Fund towards the development of a new packaging house, loading area and fruit preparation line, with associated equipment and systems, in order for them to process four new varieties of easy-peel seedless mandarins.

In addition to the creation of five FTE jobs, the new packaging house will improve product quality and allow greater quantities of mandarins to be delivered to both the local and export market. In my discussions with David Ingerson it was very clear that Ingerson Citrus is constantly looking at

how to innovate and expand their markets. An example of this was the sale of small-sized mandarins to Sri Lanka. I congratulate both Riverland Almonds and Ingerson Citrus on receiving funds through the Riverland Sustainable Futures Fund. They are certainly an example of well-run businesses.

Motions

UNIVERSITY OF ADELAIDE

The Hon. A.L. McLACHLAN (16:01): I move:

That this council—

1. Notes that 2014 is the 140th anniversary of the University of Adelaide;
2. Acknowledges the significant achievements of the university, past and present; and
3. Promotes the future of the university as a world-class institution.

I move this motion to recognise the work of the university as a South Australian who is proud of the achievements of one of its greatest institutions and also as an alumnus of its Law School and a former director of its International Centre for Financial Services, which is a centre of the Business School. As a matter of courtesy, I inform the chamber that I will bring this motion to a vote on the last sitting week. As this parliament will be prorogued, I wish this motion to have life in this chamber and not wither.

The passing of the motion is important, in my view, as a mark of respect for the university. I note that the member for Hartley intends to move an identical motion in the other place, but I think it is important, as we are the older of the chambers, that we take the lead on this motion. Like the work of the university, our deliberations have been integral as part of the success of the state and have been a key contributor to its prosperity.

A state is judged by its universities. Our nation state of South Australia can be assured that it will be judged favourably because of the excellence that shares North Terrace with the parliament—the University of Adelaide. It is critical for the future of South Australia that its oldest university should capture the imagination as well as the hearts of the public, for it can be said that the future of the state and the university are inextricably linked. We must walk together to advance the interests of the peoples of our state.

The University of Adelaide was established on 6 November 1874 and was founded with a noble goal: to prepare for South Australia young leaders shaped by education rather than by birth or wealth in a settlement free of any social or religious inequalities of the old world. The university's first vice-chancellor, Dr Augustus Short, had a vision for the university to be open to investigate new fields of study other than the narrow classics curriculum on offer at Oxford University at the time. This vision was realised in 1882 when the university became the first in Australia to offer degrees in science.

The vision and spirit of inquiry continued to be embraced and so, before reaching the 1900s, degrees such as law, medicine, mathematics, mining and engineering were also offered. The university also broke from the tradition of the British by offering scholarships through competition that was open to any South Australian resident, regardless of background. In fact, there were many ground-breaking initiatives of which the university should be justly proud. For example, in as early as 1881, the university was the first in South Australia and the second in the world to admit women on equal terms as men to academic courses, who were equally as eligible for all academic prizes and honours. This was some 40 years before women could undertake degrees at Oxford.

On that note, it is important that we recognise the contribution the university has made to advancing the interests of women in higher education. Indeed, the university's first science graduate, Edith Emily Dornwell, who graduated in 1885, was the first person in Australia to receive the degree of Bachelor of Science. The university also graduated Australia's first female surgeon, Laura Fowler, and Australia's first woman to receive a doctorate in music, Ruby Davy. The university was also the first to establish a Conservatorium of Music, a Chair of Music and a Doctor of Music and was the first to offer such degrees to women in 1918.

Indeed, the university soon established itself as an exceptional intellectual environment that offered courses of a high academic quality. It was because of this reputation that it managed to attract leading academics such as Sir William Bragg, who became a Professor of Mathematics and Physics

and who, together with his son, won the Nobel prize in physics in 1915, as well as the renowned Antarctic explorer, Sir Douglas Mawson, who spent 31 years as Professor of Geology and Mineralogy. Its early first-class reputation also extended to its outstanding graduates who made significant contributions to their fields. These exemplary graduates include Nobel laureates, Howard Florey, Lawrence Bragg, Mark Oliphant and Hugh Cairns.

I believe the university's ability to draw strength from its founding values has enabled it to continue to fulfil its research and teaching aspirations to the present day. A university should never be forced to be or become a factory. To its credit, Adelaide University actively embraces the ideal of the research university, where excitement, enthusiasm, dedication and passion in the search of knowledge is one in which all students have the opportunity to participate. It has become one of the most research-intensive universities in the country, with its researchers active in both basic and commercially-oriented research across a variety of disciplines, including finance, management, health sciences, agriculture and engineering.

To this end, it has established a number of world-class research institutes, such as the International Centre for Financial Services, the Robinson Research Institute, the Waite Research Institute and the Institute for Mineral and Energy Resources, in order to address state and national research priorities in areas of national and global importance. It is now ranked in the top 1 per cent of universities worldwide and is a member of the prestigious Group of Eight, a coalition of Australia's foremost research-intensive universities. In 2010 it became associated with Excellence in Research for Australia's top five rated disciplines and by 2011 its research income had increased to \$170 million, one of the highest growth rates over that period in the Group of Eight universities.

The sharing of information and dissemination of knowledge has also been a key philosophy that the university has continued to foster through public lectures, music concerts, public exhibitions and its media outlets, such as Radio Adelaide, On Dit and the Adelaidean. I commend it for continuing to engage with the wider community in this way.

The future of higher education is now being reshaped by globalisation and the digital revolution and I believe, with its distinct identity and sense of purpose, the university will continue to flourish into the future. The university's founding vision has never been more relevant or important to ensure it continues to successfully navigate the challenges that await this state and the university sector. I am in no doubt the university will continue to provide intellectual and cultural leadership in our community. The public of South Australia needs men and women of great moral courage and integrity, with a desire to seek the truth and to be the leaders of the state.

Beyond the professional training, all students should take the opportunity to understand the importance of holding true to one's values. Adelaide University provides the perfect environment for students to discover the best in themselves. The road ahead for our state is not clear. We face many challenges. We know we must look beyond our borders into Asia to secure our future. The world of the University of Adelaide will be of critical importance to achieving the aspirations of the parliament. I commend the university for its 140 years of serving the state and look forward to seeing it continue to achieve excellence on the national and global stage. I commend the motion to the council.

Debate adjourned on motion of Hon. J.M. Gazzola.

Parliamentary Committees

SELECT COMMITTEE ON STATUTORY CHILD PROTECTION AND CARE IN SOUTH AUSTRALIA

The Hon. S.G. WADE (16:09): I move:

That the committee have leave to sit during the recess and to report on the first day of the next session.

Motion carried.

SELECT COMMITTEE ON SALE OF STATE GOVERNMENT OWNED LAND AT GILLMAN

The Hon. T.J. STEPHENS (16:09): On behalf of the Hon. R.I. Lucas, I move:

That the committee have leave to sit during the recess and to report on the first day of the next session.

Motion carried.

BUDGET AND FINANCE COMMITTEE

The Hon. T.J. STEPHENS (16:10): On behalf of the Hon. R.I. Lucas, I move:

That the committee have leave to sit during the recess and to report on the first day of the next session.

Motion carried.

SELECT COMMITTEE ON ELECTORAL MATTERS IN SOUTH AUSTRALIA

The Hon. T.J. STEPHENS (16:10): I move:

That the committee have leave to sit during the recess and to report on the first day of the next session.

Motion carried.

*Motions***INQUIRY INTO UNCONVENTIONAL GAS**

Adjourned debate on motion of Hon. M.C. Parnell:

That pursuant to section 16 of the Parliamentary Committees Act 1991, the following matters be referred to the Environment, Resources and Development Committee for inquiry and report—

1. The processes involved in the exploration for and extraction of conventional and unconventional gas;
2. The experience of hydraulic fracturing (or 'fracking') for unconventional gas in South Australia, interstate and overseas;
3. The impacts and potential impacts of gas exploration and extraction on—
 - (a) groundwater;
 - (b) surface water;
 - (c) air quality;
 - (d) climate change;
 - (e) human health;
 - (f) agricultural land productivity;
 - (g) property values; and
 - (h) local, regional and national economies;
4. How the exploration for and extraction of conventional and unconventional gas should be regulated in South Australia; and
5. Any other relevant matter.

(Continued from 29 October 2014.)

The Hon. T.T. NGO (16:11): I am a member of the Environment, Resources and Development Committee (ERD) and I oppose the motion of the Hon. Mr Parnell. The honourable member moved to amend the Petroleum and Geothermal Energy Act 2000 (hydraulic fracturing) during the last sitting week of parliament. The amendments proposed would place a two-year moratorium on hydraulic fracturing activities on land anywhere in South Australia, require the minister to prepare a report on the potential impacts of hydraulic fracturing during that period, and thereafter ban hydraulic fracturing in prescribed areas. This council voted against the bill on the last sitting week.

As I said previously in my second reading contribution on the bill, hydraulic fracturing is just one technology already well regulated under the Petroleum and Geothermal Energy Act and has been performed in this state in over 700 wells safely and without harm over the last 40 years.

Our state is the nation's leader in regulating the hydraulic fracturing industry. There is a strict process that addresses all potential environmental impacts before companies can operate. On top of that, interested parties are well informed throughout the process. Other states are looking at our model to replicate what we are doing. Also, in other states fracking is related to shallow coal seam

gas. Shallow coal seam gas is very different from the deep gas resources that are being developed in South Australia and poses different potential risks.

South Australian deep gas resources have much smaller surface footprints and, as they are much deeper, there are thousands of metres of rock between the resource where the hydraulic fracturing would occur and the shallower potable or beneficial aquifers. The majority of members of the ERD committee, both opposition and government, recently voted against having an inquiry about fracking. The committee decided not to have an inquiry that the Hon. Mr Parnell proposed, due to various reasons that I have just outlined.

This industry currently employs thousands of South Australians and their families. It is a critical industry to our state's economy now and into the future. It also provides security of supply for our natural gas. We need to provide this industry with the encouragement and support that it deserves. As I outlined, it is critical to our economy and employs thousands. This motion, I believe, will do the opposite and, therefore, I do not support this motion.

The Hon. T.A. FRANKS (16:15): I move to amend the motion as follows:

Leave out all words after 'be referred to' and insert:

the Natural Resources Committee for inquiry and report on the potential risks and impacts in the use of hydraulic fracture stimulation to produce gas in the South-East of South Australia, and in particular—

- (a) the risks of groundwater contamination;
- (b) the impacts upon landscape;
- (c) the effectiveness of existing legislation and regulation; and
- (d) the potential net economic outcomes to the region and the rest of the state.

I will be brief. The effect of this amendment is twofold. Firstly, it changes the terms of reference to match those moved by the member for Mount Gambier, Mr Troy Bell, in the other place, and, secondly, it changes the forum for the inquiry from the Environment, Resources and Development Committee to the Natural Resources Committee. When summing up the debate on this motion, my colleague the Hon. Mark Parnell will outline some of the background to these changes and why the Greens believe that the South-East community deserve the opportunity to have their legitimate concerns investigated in an open forum.

The Hon. D.W. RIDGWAY (Leader of the Opposition) (16:17): I rise on behalf of the opposition to speak to what is now the amended motion, that is, to refer an inquiry into fracking, or hydraulic fracture stimulation, to the Natural Resources Committee rather than the Environment, Resources and Development Committee. As members would know, from the notice of motion that I moved today and gave notice of for the next Wednesday of sitting, we are moving down this path to mirror the terms of reference proposed in the House of Assembly by my colleague the new member for Mount Gambier, Troy Bell, and also to have it referred to the Natural Resources Committee. So, it appears that we are on the same page, and I think that is an important position to come to.

By way of background, it was a pre-election commitment by the then candidate for Mount Gambier that we would have a parliamentary inquiry into these matters in the South-East. Also, it is interesting to recall that the member for Waite was our shadow minister at the time. I have never in the past, and I do not intend to today, talk about internal Liberal Party matters; nonetheless, a range of options were canvassed and the policy that we took to the election was to have a parliamentary inquiry into hydraulic fracturing in the South-East.

I think my comments over the years are well known. I was fortunate enough to be the shadow minister for mining some years ago, and I am now the shadow minister for agriculture and also energy, and I have had an opportunity to be the Liberal Party spokesman across all of these areas.

There being a disturbance in the strangers' gallery:

The PRESIDENT: Order! The cameraman needs to be reminded that you can only focus on the person on their feet rather than swinging the camera around the chamber. Thank you. The Hon. Mr Ridgeway has the call.

The Hon. D.W. RIDGWAY: It is important to recall and note that the Liberal Party believes that we need to have the coexistence of all of these industries. You cannot have one at the expense of the other, and we have done that in the history of this great state for 175 or more years. We started with an agricultural economy and then had various times of mining activity boom, shall we say. Of course, we had the 60th anniversary recently of Santos and its activity in the Cooper Basin. The great contribution that Santos has made to this great state is to be commended.

Nonetheless, this was an election commitment. The people of the South-East, as the Hon. Tammy Franks said, deserve to have their concerns heard in an open forum. As members would know, I am originally from the South-East and I have put on the record here a number of times that I am the only person I think ever elected to this parliament whose entire income was derived from accessing water from that aquifer, so I am well aware of concerns that a number of people in the South-East have and I think it is very appropriate that we have an inquiry that gives them an opportunity to put their concerns in a way where they feel they can be heard, and heard without any particular bias.

I think all of us in this place share some blame in relation to the community's low view of members of parliament because when the government comes along and says, 'We are going to do something and, trust us, we are from the government,' these days nobody believes them. This is an opportunity for the people of the South-East who have some genuine concerns. I have been down there and met with a number of them and this is a real opportunity for them to put their concerns in an open public forum.

I think the Hon. Mark Parnell and others have been saying that we have been trying not to have this inquiry but nothing could be further from the truth. We have always intended to have a parliamentary inquiry. We saw the Hon. Troy Bell—he is not honourable, but Mr Troy Bell, the member for Mount Gambier—

Members interjecting:

The Hon. D.W. RIDGWAY: I should not say that; he is a very honourable man but he does not have an 'honourable' title, shall I say.

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. RIDGWAY: His preference, of course, was to hopefully have one in the chamber where he is a member. Up until very recently the member for Waite had been visiting the South-East and he gave no indication that his policy or his views had changed. Members would also understand that we do not have a member for Fisher, sadly, and we do not have a member for Davenport, and so for any chance of that motion being successful we needed to wait until those seats were filled. Now that the Hon. Martin Hamilton-Smith has indicated that he will not be supporting it, it is really irrelevant that we wait any further because we will not have the numbers. It was disappointing that he has obviously come to that new view.

It was a decision of the Liberal Party's party room that we give notice today that we have a Natural Resources Committee inquiry. When you look at the instructions, the guidelines or, if you like, the framework of the Natural Resources Committee, it certainly deals with underground water resources. It has already done an inquiry on Eyre Peninsula into underground water; all of the water allocation plans are dealt with through the NRM boards and they all report to the NRC, so it is quite closely linked to it.

It makes a lot of sense that the Natural Resources Committee look at this issue. It has already started taking some evidence. My understanding is that as recently as August the committee was receiving detailed briefings on fracking from the likes of Dr Dennis Cooke of the Australian School of Petroleum at the Adelaide University. It makes sense, when you look again at the functions of the Natural Resources Committee, and I will read them out: they are specific and appropriate to this cause; they are to review the protection, improvement and enhancement of the natural resources of the state. The natural resources include soil, water, geological features, landscapes, native veg, animals and other native organisms and ecosystems.

It was our party room's view that this was the best forum and, given that it had already started taking some evidence, the members were familiar with the issues. Having done the inquiry into the Eyre Peninsula water resources, it just made sense to us that this would be the most suitable committee. It is nonsensical, from the opposition's perspective, not to direct this inquiry to the committee which already has a foundation of knowledge and can, if you like, hit the ground running.

As I said and reiterate, it was always the opposition's policy to establish a parliamentary inquiry. We have not received support from the government, and the government are entitled to make their judgements, so today we have given notice that we will move this to the Natural Resources Committee on the next Wednesday of sitting.

I am pleased that the Greens have decided to amend their motion to align with our proposal. It means that, if the chamber supports it today, we will have an inquiry along the lines that Mr Troy Bell proposed, which was in the South-East. We were always nervous about the original terms of reference from the Hon. Mark Parnell, which were very broad and covered the whole state.

As I mentioned, we have had Santos working for 60 years in the north of the state. We have all the issues around geothermal, which I think everybody supports. If they can crack that geothermal nut and tap into that energy source, it will be a wonderful source of energy. We do not want to impact on any of that, but we have in the South-East a unique part of this state. It is a rich farming area. It has a unique system of aquifers that, as I said, I have accessed. They are vitally important to the future economic wellbeing of the South-East.

It is important that we have an inquiry so that all those issues, all the concerns of the community and all the evidence the mining industry would want to put forward are heard as well. I think it is important that this inquiry encompasses all views and that all the questions from those who are opposed to it are tabled for those who are going to answer those questions. It is important that it is done in a very professional and robust way, and the opposition sees the Natural Resources Committee as the logical place to conduct this inquiry. With those few words, I urge all members to support the motion.

The Hon. R.L. BROKENSHIRE (16:26): I advise that Family First's position is that, now there is an amended motion, we will be supporting that. I had a detailed discussion with the Hon. Mr Parnell last Friday, and I thank him for his time in discussing it with me. I think, apart from the government, there is general consensus that we should be holding an inquiry.

I want to put on the public record that I noticed that the Treasurer and Minister for Mineral Resources and Energy was out there having a crack at the opposition on this occasion for actually floating the idea of an inquiry. I remind the Treasurer that, when you actually make a commitment to a community, you have to stick to that commitment. It is a basic situation where maybe the government flip-flop around and decide to change their mind, but if you actually go out with a policy decision in an electorate, in particular, you have to honour that.

I was clearly aware, when I was campaigning down there for our Family First candidate, that there had been a commitment made by the now member for Mount Gambier, Mr Troy Bell, that the Liberal Party would hold an inquiry. That does not mean that the Liberal Party or Family First are opposed to mining—we are not—but it is about appropriateness, it is about where you mine and where you do not mine, and it is about the best long-term return to a region and the state.

Of course, as we see the free trade agreement with China signed now—and declaring my own interest as a dairy farmer—for a change, that free trade agreement is actually good for a lot of agriculture and good for the dairy industry. In fact, the most sustainable opportunity for expansion, economic development, growth and jobs in the South-East now may well be expanded to dairy as that tariff comes back to zero over the next four to nine years, depending on which part of the dairy product is phased to zero tariff on the priority arrangement within the free trade agreement.

Family First are not opposed to mining at all, but we also proudly support farming. It is a matter of the balance in all this. An inquiry will give the local people, some of whom have been there for generations, an opportunity to make submissions on their concerns to a committee. It will give the committee, on behalf the parliament, an opportunity to look at the pros and cons of fracking in

that particular area and, through the committee, it will also give companies like Beach the opportunity to put their information and scientific research into the parliament.

The Hon. Mr Ridgway is correct: as a member of the Natural Resources Committee, we have already made some significant inroads into preliminary briefings from renowned people on fracking. Whilst I agreed with the general intent of the Hon. Mark Parnell, I believe I indicated to him during our discussion that the question in my mind was: which would be the best way of having an inquiry—would it be the ERD, the NRC or in fact a separate standing committee? I thought it might have been a standing committee in the House of Assembly and, given that they are already up at quarter past four tonight, I would have thought that they have plenty of time.

The Hon. T.J. Stephens: Quarter to four.

The Hon. R.L. BROKENSHERE: Quarter to four—gee, they worked hard today, and they do not want to sit either! I thought they would have had time to have a standing committee, but of course we saw a backflip from a now minister of the Labor government, who at one stage was actually supporting the importance of an inquiry, but he suddenly woke up one morning and it was just a bad dream and he did not want to support the inquiry. With cabinet solidarity, there will now be no inquiry, so he is cutting out the opportunities for democratic processes for the people of the South-East, and I say that he should think again.

Without pre-empting what they might do, let us get on with it. On the Natural Resources Committee, its terms of reference are there for us appropriately to do this investigation—and I apologise in advance to my colleagues the Hon. Gerry Kandelaars and the Hon. John Dawkins, as we are all pretty busy on that committee; notwithstanding that I support this motion, particularly because my colleague the member for Flinders, Mr Peter Treloar, is a farmer.

My family and I are farmers and, given that the focus of this inquiry needs to be on farming, farmers and farming families and that we have those two and the Hon. John Dawkins, who has a great knowledge of farming and used to farm, there is already quite a lot of farming experience on that committee. Therefore I congratulate Mr Parnell for moving the amendment to the NRC, and Family First has pleasure in supporting the motion.

The Hon. J.A. DARLEY (16:32): I indicate that I will support the Hon. Mark Parnell's motion and amendment.

The Hon. K.L. VINCENT (16:32): For the assistance of the chamber, I indicate that Dignity for Disability will also support both the motion and the amendment.

The Hon. M.C. PARNELL (16:32): I thank the Hon. Tung Ngo, the Hon. David Ridgway, the Hon. Rob Brokenshire, the Hon. John Darley and the Hon. Kelly Vincent for their contributions, and also my colleague the Hon. Tammy Franks for moving the amendment that substantially changes what members would have in front of them on the *Notice Paper*. I wish to make some brief observations about the contributions that have been made.

The first thing I would say about the government's contribution is that, as the Hon. Tung Ngo indicated, he is a member of the Environment, Resources and Development Committee, and, yes, it is correct that I did put this to that committee and they did not want to talk about it. As the honourable member knows, under the Parliamentary Committees Act, whether or not a committee wants to look at something is not entirely a matter for them; it is also a matter for the parliament.

If the parliament thinks a matter is important enough to look into, it can send a reference to a standing committee of the parliament and that committee is then obligated to inquire into that matter. So, it did not put me off that the ERD Committee of its own volition did not want to talk about unconventional gas because I had every confidence that this parliament would send the inquiry their way. As things have transpired, we are going to a different committee, and I will touch on that in a second.

The Hon. Tung Ngo also said that the industry needs our encouragement and support. I guess by inference what they do not need is anyone asking questions about them. It seems to me that the Chamber of Mines came out swinging when it found out that there was some momentum for a parliamentary inquiry into fracking. I would have to say that any industry that is so fearful of questions being asked about it must be on very fragile ground, and I really do not understand the

vehemence of its reaction. I would have thought they would have welcomed the opportunity to put on the record what they consider is a safe and well-regulated industry. Instead, they came out swinging and criticised those who looked to be supporting an inquiry.

The Hon. David Ridgway, in his contribution, mentioned that we now appear to be on the same page, and I think that is correct, in that everyone in this chamber, other than the government, is supporting the amended terms of reference. The Greens have gone down this path out of respect for the citizens of the South-East. Most people do not understand the fine detail of parliamentary procedure; they just know they want an inquiry and they are now going to get an inquiry.

But I have to touch on the issue of whether the terms of reference that we are now going to agree on are better than the terms of reference as originally proposed and, whilst I am supporting my colleague the Hon. Tammy Franks' amendment, I have to say that these terms of reference are incredibly narrow, and the Chair of the committee will, I think, be under pressure to allow questions to be asked and evidence to be raised that go beyond the very narrow scope of this.

Two issues jump out at me. First of all, the question of climate change has now been omitted from the terms of reference but, as members who follow this would know, one of the most recent articles—in fact, it just hit my desk today—that came out in a peer-reviewed scientific journal basically says that they have been looking at the fugitive emissions from unconventional gas fields and they have found out that the levels of carbon dioxide and methane are much higher than in surrounding areas.

When you recognise that methane has a climate-forcing potential 20 times—or maybe even more than 20 times—that of carbon dioxide, small amounts of fugitive emissions from these unconventional gas fields can cause huge problems for climate change. Again, it is now not in the terms of reference.

Another matter that is now omitted from the terms of reference is any impact on the health of the citizens of the South-East in relation to this activity. Just yesterday, members may have all received—at least, I hope it went to all members—a letter from Doctors for the Environment. Doctors for the Environment basically say that they welcome, in anticipation, our vote today to establish a parliamentary inquiry into fracking. I will just read you a couple of sentences from the submission:

Doctors for the Environment Australia say that the Environment, Resources and Development Committee, which is conducting the inquiry, will help to highlight the potential devastating health impacts of shale gas extraction, especially for rural communities.

Doctors for the Environment spokesperson, Dr John Willoughby said:

There is no justification for unconventional gas anywhere near aquifers, people or agriculture. The evidence from overseas and from other Australian states shows that if this mining practice is allowed, problems cannot be avoided.

The original terms of reference did invite the committee of inquiry to look into the experiences interstate and overseas, because this is the only way we can predict what the impacts might be here. If the inquiry is so narrowly focused that it only looks at fracking in the South-East, well, there will not be a whole lot to inquire into, as there has not been any yet. I am hoping that the Natural Resources Committee will be more sensible and will allow these issues to all be agitated. I will not read Doctors for the Environment's whole list of dot points about what is wrong with fracking, but I will just read you a couple of them:

- Hazardous chemicals associated with large volumes of water used and brought back to the surface during mining may concentrate in ponds and pollute the air. The chemicals include fluoride, boron, lead, benzene and toxic hydrocarbons which are implicated in a number of medical conditions.
- There is particular concern in a US report of an increased prevalence of heart defects in children whose mothers lived in close proximity to gas fields.

I will not read all the rest. There are clearly health impacts of fracking, yet these narrow terms of reference do not include them.

I hope that the committee will take it upon themselves not to try to stifle any evidence that is sought to be given. For example, if Doctors for the Environment Australia seek to give evidence, I do not want that committee slapping their hands over their ears and saying, 'La, la, la, we don't want to

hear about that.' I think that is what the people of the South-East are concerned about, amongst other things, like the pollution of their groundwater. The committee should look into it.

The Hon. David Ridgway basically said, 'Well, we were always going to have this inquiry.' The point I make, and I mean no disrespect to the member for Mount Gambier, is that it was clear that that particular motion was doomed to fail. It was doomed to fail once we knew parliament was prorogued and once we knew that the two Independent ministers were going to vote against it.

So, unless we were prepared to wait for next year, which we are not prepared to do, we need to deal with this now. I think for the Liberal Party to pretend they are all on same page—no, they are not; there are many members who did not want any inquiry at all.

The Hon. J.M.A. Lensink: You don't know that.

The Hon. M.C. PARNELL: I do know that. The Hon. Rob Brokenshire sits on the Natural Resources Committee and he will effectively have crossbench carriage, I guess, of this, and I know he is looking forward to that.

The Hon. R.L. Brokenshire: And I like Dr Shearman, too.

The Hon. M.C. PARNELL: And he has interjected, very rudely, that he will invite Dr Shearman to come and give evidence.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Parnell has the floor.

The Hon. M.C. PARNELL: I correct the record: the Hon. Rob Brokenshire did not say he would invite Dr Shearman, he said he liked Dr Shearman; it is important to get that right. In conclusion, Mr President, does this motion represent a compromise? Well, absolutely, it does. But, as I say, I value and respect the desires of the South-East community. They wanted a parliamentary inquiry, they are going to get a parliament inquiry. Would I have liked to have been on that inquiry to ask the questions of the experts? Certainly, I would have, but at the end of the day it is going to a different committee.

What I will say is that I will certainly be at the public hearings of this inquiry making sure that the committee does a thorough job, and making sure that the farmers and other citizens in the South-East get their day in court, as it were, and get their chance to give evidence and to put their views before the committee. I am delighted that this Greens' inquiry is now going to be passed.

The Hon. T.A. Franks' amendment carried.

The council divided on the Hon. M.C. Parnell's motion as amended:

Ayes 15
Noes 6
Majority 9

AYES

Brokenshire, R.L.
Finnigan, B.V.
Lee, J.S.
McLachlan, A.L.
Stephens, T.J.

Darley, J.A.
Franks, T.A.
Lensink, J.M.A.
Parnell, M.C. (teller)
Vincent, K.L.

Dawkins, J.S.L.
Hood, D.G.E.
Lucas, R.I.
Ridgway, D.W.
Wade, S.G.

NOES

Gago, G.E.
Kandelaars, G.A.

Gazzola, J.M.
Maher, K.J.

Hunter, I.K.
Ngo, T.T. (teller)

Motion thus carried.

MODI, HON. N.

The Hon. J.S. LEE (16:47): I move:

That this council—

1. Congratulates the Hon. Narendra Modi on his successful election in becoming the 15th Prime Minister of India;
2. Welcomes the Prime Minister of India on his first visit to Australia in November 2014; and
3. Congratulates and acknowledges the vibrant South Australian Indian community for their valuable contributions to the state.

The journey of the Hon. Narendra Modi in becoming the 15th democratically-elected Prime Minister of India is a remarkable one. India is the seventh-largest country by area. It is the second-most populous country with 1.25 billion people, and is the largest democracy in the world. The Indian 2014 general election resulted in 537 million votes cast over a five-week election cycle. The election took place between 7 April and 12 May this year and recorded an additional 130 million votes over the previous election, in 2009.

This election generated a high amount of voter engagement, with 66.38 per cent of the population voting—a much higher level than in other countries which practise a voluntary voting system. After the five-week campaign cycle, Modi and his Bharatiya Janata Party (BJP) secured an historic 282 seats in the Indian lower house, called Lok Sabha, which is composed of representatives of 543 constituencies.

Modi was able to form government with 31 per cent of the vote, as BJP held enough seats in their own right without the cumbersome array of coalition partners. To put Modi's significant achievement into perspective, the previous government, which is the Congress Party, has led coalition governments for the past 10 years and secured only 44 seats and 19.3 per cent of the vote in the 2014 general election—that is 238 less seats than Modi and the BJP Party.

Modi was born on 17 September 1950 into a humble family in Gujarat. With his first job as a tea seller, his personal journey up to leading the world's oldest civilisation and the youngest nation today reinforces the idea that every Indian can realise his or her aspirations if they work hard. Throughout Modi's career he has been known to his followers as a passionate, poetic and progressive leader. He is a leader of, for and by the people of India. He has always embodied the concerns, aspirations and ambitions of the people he represents as they are forever in his midst.

Through his impeccable track record as the chief minister of Gujarat for 13 years, Modi has developed an identity of being a transformational leader known for delivering results. In Modi's 13-year tenure as the chief minister of Gujarat he brought about a paradigm shift in the lives of people in Gujarat by delivering proactive, pro people and good governance, and he is now poised to do the same for the nation at large.

Modi is a visionary leader with big dreams and has a remarkable ability for implementing his visions. His approach balances the importance of big and small, with the vision of leveraging on global as well as local strengths. His pro business small government policies approach has prompted many citizens of the world to put him on the same page as transformative leaders such as former president Ronald Reagan and former prime minister Margaret Thatcher.

Before Modi became the Prime Minister of India he was the chief minister of Gujarat, as I mentioned before. During his leadership he was able to economically and socially transform Gujarat, which provided him with a positive and trustworthy affiliation with change and future prosperity. For example, under Modi's leadership, Gujarat maintained more than 10 per cent GDP growth rate for over a decade and, moreover, this growth was balanced with the agriculture, manufacturing and services sectors all growing by 10 per cent.

Another noticeable and widely renowned achievement of Modi's during his leadership as chief minister of Gujarat is that he was credited with bringing electricity to all 60.4 million residents—a first for India. This accreditation is a policy he wishes to expand beyond Gujarat and implement throughout India.

It is through these ambitions and economic transformations that during his prime ministerial campaign Modi secured a newly found faith and confidence amongst his countrymen and women as he successfully changed the mindset of Indian voters from social class differentiation based politics to development based politics. In the short time since he has become the Prime Minister of India, Mr Modi has proven his commitment to less government and more governance and placed India in a respectable position at the international level.

Prime Minister Modi visited Australia for the first time during the G20 summit recently. It has taken a prime minister of India 28 years to visit Australia—since 1986. It was a very overdue visit, particularly when India and Australia share so many things in common, including the great Indian Ocean, our connected history, shared heritage, strong economic ties and a love for sports, especially cricket.

The Indian Australian Community Foundation organised a community reception with the Hon. Mr Modi on 17 November at Olympic Park in Sydney. In terms of the buzz and turn out—I think there were 15,000 Indian community members who turned up for the event—he has been received like a rock star, according to what has been reported in the media.

The objective of the event was to increase the unity and strength of the Indian community in Australia. Around 200 Indian associations across Australia were there as reception partners. A special dedicated train from Melbourne to Sydney was organised—it was called the Modi Express—to transport people to the Olympic Park stadium. There were 27,000 people requesting tickets, and only about 16,000 tickets were able to be issued. It was just overwhelming. There were 300 volunteers who were selected out of 800 people listed as wanting to participate as volunteers. Mr Chirag Trivedi is the South Australian representative, and he has given me a glowing report about this particular initiative. I congratulate him for bringing so many South Australians to attend this reception for the Indian prime minister.

In terms of the summit, as we all know Prime Minister Tony Abbott actually visited India on 4 and 5 September this year. He has released a joint statement, and I would like to highlight some of the areas that have been discussed. The two prime ministers have firmed their commitment to strengthening the bilateral strategic partnership and taken it to a new level of mutual trust. In terms of economic engagement, the prime ministers have underlined the priority that is attached to building economic partnerships, which is the pillar of the relationship. Both countries have recommitted to expand trade for further mutual benefit and as a long-term and sustainable boost to economic growth in both countries.

They have also agreed that there will be significant scope to boost investment and collaboration in both directions in infrastructure, resources, agriculture, manufacturing, health, education and other sectors to increase efficiencies, introduce new technologies and develop innovation and skills. Prime Minister Abbott welcomed growing Indian investment in Australia and underlined Australia's commitment to providing a stable investment environment and streamlined approvals process. Prime Minister Modi also welcomed Australian investment in a range of infrastructure, resources, technology and other projects in India.

In terms of the education and skills sector, I would like to highlight the fact that the two prime ministers welcomed the collaboration between universities, called for efforts to enlarge the scope of joint research, joint PhD programs and joint degrees, and commended the work of the Australia India Education Council in advancing education training and research partnerships. Prime Minister Modi expressed appreciation for the continued efforts of Australian authorities to ensure the welfare and security of Indian students studying in Australia. I think this is very welcome for South Australia, as a way of moving forward in the education sector.

Regarding people-to-people and cultural links, the prime ministers highlighted the importance of bilateral parliamentary exchanges, and agreed to reinvigorate reciprocal visits by parliamentary delegations. I hope that in the following years we will actually have parliamentarians from South Australia visiting India on a more frequent basis to secure some of those cultural as well as economic ties. The prime ministers recognised that rapidly-growing people-to-people links underpin our developing relationship and partnership, and will enable both countries to build even stronger relations into the future.

They appreciated that the Indian community is contributing significantly to the economic and social life of Australia with India now the largest source of skilled migrants to Australia. The prime ministers also noted that art, culture and sport can be powerful forces for bringing people together and called for closer and more intensified exchanges in the fields of culture and creative arts including visiting exhibitions, professional training and exchanges.

They welcomed the establishment of ICCR chairs of Indian studies in five universities in Australia to promote academic and student exchanges and Australia's support in the establishment of the different university chair in environmental studies. I think that is all a very welcoming policy and joint statement by the two prime ministers.

With over 18,000 Indian migrants living in South Australia, and as the shadow parliamentary secretary for multicultural affairs, I have the great privilege of working with so many dynamic leaders from the Indian community, and it is a great honour to have them as wonderful friends. In South Australia we have about 52 Indian associations and not-for-profit organisations. They range from community, sports and religious-based organisations to professional business and industry-related associations. I want to acknowledge the active participants of this growing community and to thank them for making a significant contribution to making South Australia a wonderful, multicultural state.

At this point I would also like to pay some special tributes to some Indian community leaders, not in any specific order, but I would like to put my thanks and appreciation on the record for these individuals and community leaders: Dr Rakesh Mohindra, President, Indian Australian Association of SA; Mr Chirag Trivedi, Indian Australian Community Foundation—Australia; and Dr Kuldip Chugha, President, Punjabi Association of South Australia, who recently organised a Diwali Mela at Thorndon Park. There were some 3,500 people there and it was pretty amazing.

I would also like to acknowledge Mr Adireddy Yara, President, Telugu Association of South Australia; Mr Gagan Sharma, President, Hindu Welfare and Social Services, who brought along a whole team of Hindu Welfare and Social Services members to attend the reception of Modi. He has been posting Facebook pictures and messages on social media, and he is an incredible, energetic young man.

To Mr Rajesh Kumar, President Punjab Aussie Association; Mr Himanshu Patel, President, AALAP Indian Association from the Gujarat community. We have Mr Ritesh Waghela, Public Officer of the BAPS Swaminarayan Sanstha, Australia; Sunay Zaveri, Leader, Adelaide Shwetambar Jain Sangh; Ramesh and Priya Vijayan of the Kalalaya School of Indian Performing Arts; Mr Lawrence Annadurai, President, Adelaide Tamil Association; and Mudra Shah and her husband, Hardik Shah, from the Mudra Dance Academy were in Sydney as well. She serves happily as a volunteer and she posted hundreds of photos on Facebook for this occasion.

I would also like to acknowledge Saru Rana and Robbie Benipal of RAABTA Radio, the presenter and director there; Mintu Brar, President, Punjabi Cultural Association and also the sub-editor of the *The Punjab*, International Punjabi newspaper; and Dr Krish Sundararajan, President, South Australian Indian Medical Association. They have been wonderful leaders and they still have a very strong connection with India and they are contributing greatly to South Australia.

I also want to share the fact that the South Australian Indian community are such a proud part of the Australian community as well as having a strong, proud Indian heritage. I commend all the work they have done and their contribution to South Australia.

I am delighted to bring this motion to the attention of the South Australian parliament. I look forward to hearing the various contributions from other honourable members. The Indian community of South Australia is vibrant, inspiring and energetic. We are very fortunate to have them enrich our state in their social, cultural and economic undertakings. It is a privilege to put on the record and acknowledge their wonderful contribution. With those few words, I commend the motion to the chamber.

The Hon. T.T. NGO (17:05): I rise to speak in favour of this motion. I express my congratulations to the Hon. Narendra Modi on his election as Prime Minister of India, and I also acknowledge the valuable contribution made by the Indian community to Australian society. I also thank the Hon. Jing Lee for moving this motion.

South Australia has enjoyed a lengthy relationship with India. The first known immigrants arrived from India in the 1830s. Some settled in the copper mining and pastoral areas to our north, naming a local creek Burra Burra, from which it is said the nearby town derived its name. Indians were also among the so-called Afghan cameleers, collectively termed 'Afghans' by authorities in the colonies because of their similar appearance, turbans and attire.

After a hiatus of some decades, due to the white Australia policy, Indian migration resumed and, of course, in recent years we have welcomed many Indian students to our community, both temporarily (for study and other purposes) and permanently. According to Austrade figures, in 2013, Indian students made up the second highest number of international students studying in Australia. International education was worth nearly \$1 billion to the South Australian economy in 2013-14.

I want to look at the career of Prime Minister Modi as a realisation of the idea that any person, whatever his or her circumstances, can indeed rise to be his or her nation's leader, and the story of Prime Minister Modi is certainly one of triumph over adversity. Mr Modi was born in 1950 into a low-caste family. He first worked, as a little boy, with his father in their tea stall at Vadnagar Railway Station in Gujarat. Growing up, he took an interest in a Hindu nationalist group, the Rashtriya Swayamsevak Sangh (RSS), later joining the Bharatiya Janata Party (BJP). The desire to see Hinduism enshrined in the constitution remains a key aim of that party, which he leads today.

Crucially involved in securing the BJP victory in the 1995 elections in the state of Gujarat, he consolidated his reputation as an economic manager and energetic proponent of development. According to *Al Jazeera*, Gujarat, under his leadership, grew to lead the nation in GDP growth, and it now enjoys an unimpeded power supply and excellent road infrastructure.

Mr Modi became the party's prime ministerial candidate in 2013 on the twin platforms of Hindu nationalism and economic management, emphasising the need for more jobs, more development and the alleviation of poverty, and he was elected in May this year. Prime Minister Modi, as all strong leaders do, attracts both praise and criticism in his country. In amplifying these disparate views in an article in the *New Statesman*, noted commentator William Dalrymple has referred to Mr Modi as:

...a strong and decisive leader, who would be brave enough to make the difficult reforms and provide the firm governance and economic prosperity [his] country is craving.

Meanwhile, *The Economist* assesses Prime Minister Modi as 'a strong-willed moderniser' bent on reforming India's economy through manufacturing, technology, good governance and improved infrastructure, and he is looking outwards as well.

Already, he has addressed the UN General Assembly and held talks with President Obama. Chinese President Xi Jinping has visited India, as have Britain's Chancellor and Foreign Secretary. In August, he was hosted by Japan's Prime Minister Shinzo Abe. Clearly, Prime Minister Modi's visit to our country has great significance for the Australian-Indian community and for the Australian community as a whole. As the Hon. Jing Lee mentioned earlier, he is a politician receiving rock star status, which I suppose many of us politicians would love to have as well.

Let us look at some of the key issues that underpin our relationship with India. According to the Lowy Institute:

India is Australia's tenth largest two-way trading partner, with a total volume of...\$11.9 billion in 2013. India is Australia's fifth largest export market, with coal, gold, copper ore and concentrates and agricultural products among Australia's major exports. These figures have fallen considerably in recent years, registering a 22% decline in two-way trade in the year up to 2013. There are, however, strong prospects for the trade and investment relationship to pick up again, with the likely revival of the Indian economy and growing Indian investment in Australia.

It also adds:

Australia and India have a growing number of shared security concerns in the Indo-Pacific region. In light of this, relations between Australia and India were upgraded to the level of a 'strategic partnership' in 2009. Australia and India issued a Joint Declaration on Security Cooperation with the aim of enhancing relations in this area. The opportunities for Australia-India security cooperation are particularly strong in the maritime domain.

Finally, and most interestingly, the Lowy Institute points out that:

Indian-born Australians are now the fourth largest migrant community in Australia and in 2011-12 represented the primary source of Australia's migration program. The 2011 census revealed that the number of Australians born in India more than doubled since 2006, and Punjabi has become Australia's fastest growing language. This will provide Australia with unique opportunities to strengthen its economic ties with India.

The same census shows us that 18,741 people who were born in India were living in South Australia in 2011 and that 20,834 reported having Indian ancestry. Indian immigrants contribute to a stronger South Australia through cultural diversity as an enabler of social, cultural and economic prosperity. Their knowledge, skills and experience are well regarded here.

I want to acknowledge the pluralist tradition that allows people in South Australia of all cultural and social backgrounds and all faiths to reside together in harmony and goodwill. It is in this context, and with the future growth of our relationship with India and its people in mind, that I reiterate my welcome to Prime Minister Modi and wish him well for a productive and enjoyable visit to Australia. I commend the motion to this house.

Debate adjourned on motion of Hon. J.M. Gazzola.

Bills

ELECTORAL (HOUSE OF ASSEMBLY CASUAL VACANCIES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 29 October 2014.)

The Hon. T.T. NGO (17:16): I rise to oppose this bill. The Speaker of the House of Assembly has given very sensitive and cogent reasons as to why he believes the current by-elections in Fisher and Davenport should be held on separate dates. I do not think there is a single member of this parliament who works as hard in their electorate as the Speaker of this parliament does.

Members interjecting:

The Hon. T.T. NGO: He works for every community. He is very active.

The Hon. J.S.L. Dawkins interjecting:

The PRESIDENT: The Hon. Mr Dawkins!

The Hon. T.T. NGO: He likes to help out everyone. It seems to be his belief that voters in Fisher and Davenport should each be given their time in the sunshine, so to speak. It is the Speaker's belief that separate election dates in Fisher and Davenport allow these voters' local needs to be campaigned for at just as high a level, if not higher, than broader state issues. These seats are normally neglected in general elections by both major political parties because they are safe seats, so they very often get neglected.

The Hon. S.G. Wade: Like Croydon.

The Hon. T.T. NGO: No, Croydon, the member—

The PRESIDENT: Do not react to the interjection, please.

The Hon. T.T. NGO: They are neglected by both major parties in the push to win marginal seats. Whilst there has been a lot of commentary on the supposed political motives of the Speaker's decision, I believe he is simply acting in what he believes are the best interests of voters in Fisher and Davenport. I believe that is an admirable thing. It is only the introduction of this bill which is politicising the matter.

There will come a time—hopefully, in the very distant future—when there will be a change of government. It is my belief that an integral part of our Westminster system lies in the powers that are granted to the Speaker in the running of the parliament. I know the Hon. Mr Dawkins always speaks about the importance of maintaining the Westminster system. Ultimately, elections become an administrative matter for the parliament, not the Electoral Commissioner. Unfortunately, this bill is an attack on those very traditions and this is one of a number of reasons as to why I will not be supporting the bill.

I would like to further add that the bill is rushed and requires greater consideration. It represents a departure from the general position across Australia today. In all states and territories, other than the ACT, under the Hare-Clark system, writs are either issued by the Governor (the Administrator in the case of the NT) or the Speaker. There has been a suggestion that the holding of two by-elections on the same day will save money. Although the Electoral Commissioner has suggested that it may make operational sense to hold the upcoming Fisher and Davenport by-elections on the same day, *The Australian* reports the commissioner as having stated, and I quote, and I believe she said it too, 'there is not a great cost difference.' In light of this information I will not be supporting the bill.

The PRESIDENT: The Hon. Mr Wade. I hope you are as passionate about this issue as the Hon. Mr Ngo.

The Hon. S.G. WADE (17:21): Passionate? I thought that was like being attacked by damp lettuce. The Hon. Robert Brokenshire introduced the bill in the Legislative Council on 29 October. The bill removes the right from the Speaker of the House of Assembly to issue the writs for the filling of a casual vacancy in the house as may occur from time to time, instead bestowing that function on the Electoral Commissioner. Further to this, the bill obliges the commissioner to fix the same day for the poll if more than one vacancy occurs, unless the commissioner considers there is good reason not to do so.

Similarly, if the writ has been issued for the holding of a poll to fill a casual vacancy and further vacancies occur, the subsequent writs will fix the other polls for the same day, if it is possible, within the requirements of section 48 of the Electoral Act unless the commissioner considers there is good reason not to do so. The bill also obliges the Speaker or the Governor, as the case may be, to notify the commissioner of such resignations which create a casual vacancy as soon as possible.

As the interjections have suggested, and even some of the comments by the Hon. Mr Ngo, the bill is a response to a series of recent events. Following the casual vacancy as a result of the tragic death of the member for Fisher, the Hon. Dr Bob Such, and the fact that the member for Davenport, the Hon. Iain Evans, had already announced his intention to resign as the member for Davenport, the state faces two by-elections.

Most recently when that occurred, it was in the context of the resignations of the former premier and deputy premier, premier Rann and deputy premier Foley. Just as those two by-elections were held on the same day, there was a general expectation within the media and the general community that the polls to fill these casual vacancies would be held simultaneously.

The slightly bizarre situation was that the Speaker of the House of Assembly announced by Twitter on the Monday that he had set the date for the by-election in Fisher and he had, therefore, precluded the possibility of the by-election being on the same day as the by-election for Davenport because at that stage the member for Davenport had not resigned. It was commonly known that the member for Davenport was going to resign within days. The suggestion was put out that it was convenient for the electoral administration.

Then, what became known was that the Electoral Commissioner did not support this approach. Her preferred approach was that the by-elections be held on the same day. She made the point that it was not driven by cost and the opposition is not supporting the Hon. Robert Brokenshire's bill on the basis of cost. We are supporting the Hon. Robert Brokenshire's bill on the basis of integrity. Given the absence of any objective reason for the delay in the holding of the Davenport poll, the only conclusion that this parliament can come to is that the separation of the two polls was driven by political considerations.

If we needed support for that case we need only turn to the words of the Speaker himself. On 21 October on the ABC program with Mr Abraham and Mr Bevan, he stated that his decision was inherently a political decision. Our support for this bill is not driven by cost: it is driven by integrity. The Hon. Tung Ngo suggests that this is somehow at variance with the traditions of Westminster parliaments. I just make the point that independent electoral commissions are inconsistent with the traditions of parliament, inconsistent in the sense that they did not exist when Simon de Montfort founded the parliaments in the mid-1200s.

But the fact of the matter is that parliaments are ever evolving, and one of the great contributions of Australia to modern democracies is independent electoral administration. I think it is a natural evolution of that process that we can protect the integrity of the parliament by protecting the integrity of the electoral system, by putting what is fundamentally an administrative task in the hands of the independent Electoral Commissioner.

The fact that the decision of when a contested by-election would be held is left in the hands of a member of a political party clearly has the potential to undermine the position of the Speaker. Even if the Speaker were to make the decision with no regard to political considerations, there would still be the risk that their office could be undermined or reflected upon by the decisions that it has made.

In terms of this particular decision and this particular speaker, I would just comment that I think it is particularly disappointing because there have been a lot of comments made to me by members from the other place that they believe Speaker Atkinson, generally since his appointment, has served to strengthen the office of the speaker and improve the proceedings of that house. So, it is a surprise to me that on this occasion he chose to make the decision that he did.

However, this bill is not about one decision, one by-election date: it is about what we can do now to strengthen our democracy going forward. I certainly believe that in the context of the development of the Westminster system and the development of independent electoral administration, it is in the interests of both the parliament and the electoral administration that the process of setting the date be put in the hands of an independent electoral commissioner. The Liberal Party supports the bill.

The Hon. T.A. FRANKS (17:27): I rise on behalf of the Greens to support the bill brought before us which addresses a recent occurrence where the Speaker did not even answer a phone call from the Electoral Commissioner when she attempted to give him her impartial advice. It seems the Speaker is not very much of a listener, certainly when it comes to this particular occasion and this particular set of by-elections.

In fact, the Labor representative earlier noted that the general position is that this is a Westminster tradition. What I would point out to the member is that it is actually also a Westminster tradition that the speaker is independent, yet we do not see that come into play in this parliament. Further, it is a tradition of this particular state that our election dates are set in stone, hence the March poll dates occur every four years, and that is what has been agreed democratically in this state. Indeed, election dates are not typically at the whim of the Premier or any other person who holds the power within the party of government.

The decision to split the Davenport and Fisher by-elections and those dates is politically clever. It will have a cost, because ECSA has to make sure that the electors in those electorates are made aware that there is a poll date coming. Certainly anyone who has been in the Fisher electorate would have seen at the bus stations and in the local newspapers and, of course, in our mainstream newspapers advertisements currently for the Fisher by-election. Those advertisements will have to be run again for the Devonport by-election. Advertising is not cheap, and that is certainly one area where clearly costs could have been saved for this cash-strapped government. They are very happy to cut costs on a whole range of things. This is a very obvious place where those costs should have been cut.

We saw in the last session of parliament the Port Adelaide and Ramsay by-elections take place in very similar situations, where members who had previously been of the Labor Party brand retired and left parliament. On that occasion the Port Adelaide and Ramsay by-elections were held together. On this occasion, with the passing of the member for Fisher, the member for Davenport had already made it crystal clear that he was to retire and that the election dates could be held on the same date.

It is quite clear that this is a politically canny move and a politically clever move. It separates these two by-elections: one where the result is reasonably unknown, and that is the poll in Fisher where an Independent, who was formerly a member of the Liberal Party and a minister in a Liberal government, held the seat; the other, which is seen to be a safe Liberal seat. This is a clever move to politically divide the debates on those two elections. It puts everyone else off their guard. It was

something that the Labor Party had in their control and it is something I do not think they can be trusted to have within their control in the future. With those few words, the Greens support this bill.

The Hon. K.L. VINCENT (17:31): As members are well aware, I am always looking for more efficiencies in this place, so I would like to begin by offering an abridged version of the government's contribution opposing this bill, and that is: 'we can't do it because it is not the way we have always done things.' The end.

I for one tire of this perspective. I think we do not promote an active democracy by defending the status quo at all costs and we certainly do not achieve good democratic outcomes for the people of this state by doing things just because it is the way we have always done things. Yes, we do need to keep certain traditions, but only when they are effective and achieve effective, productive and positive outcomes for the people of the state. We think it is time to change the tradition in this particular instance and that is why Dignity for Disability will support the bill.

The Hon. J.A. DARLEY (17:32): I strongly support this bill for the reasons already outlined by the Hon. Stephen Wade and the Hon. Tammy Franks.

The Hon. B.V. FINNIGAN (17:32): I rise briefly to oppose this bill. I would like to address the general point as well as dealing with the specific example that brings us to this debate. It is worth reflecting that the late Hon. Dr Bob Such would be perhaps wryly amused that we were debating this, since electoral reform and matters pertaining to elections were always a great passion of his and something that he advanced on many different occasions.

While I commend the Hon. Mr Wade for working a reference to Simon de Montfort into a contribution, the Liberal Party's general point of view—and I think it is perhaps shared by others—is that this is the 'we don't like Mick Atkinson amendment bill'.

The Hon. T.A. FRANKS: Point of order: members should be referred to by their titles and not by their names.

The PRESIDENT: Be mindful of the point of order, Hon. Mr Finnigan.

The Hon. B.V. FINNIGAN: I do apologise to the house. This bill could be titled the 'we don't like the honourable Speaker bill' because there seems to be this ongoing obsession with the person who now occupies the office of Speaker. I think it is a very poor strategy or very poor thought to make decisions based on who occupies an office at a particular time.

The suggestion that, because of this particular instance, we should change centuries of the way parliament has worked is a matter that has to be considered carefully. I acknowledge that the Hon. Kelly Vincent had a good line there saying that the government position came down to 'we have always done it this way; therefore, it shouldn't change', but there is a very important principle underlying that concept. A parliament should always be extremely careful not to give away or to in any way dilute centuries of tradition and a prerogative that is very important to the parliament.

Once you start establishing that the parliament, parliamentary officials and parliamentary office holders should not make these sorts of decisions, that it should all be handed off to an independent person, I think you are going down a slippery slope and you are starting to really undermine the prerogatives and privileges of parliament that have been built up over centuries, and there is a very important reason they were built up over the centuries.

It has always been the case that the Speaker names the dates of by-elections, and there are important reasons for that. I have great respect for the Electoral Commissioner. I think she does a good job. I am not suggesting anything untoward in reference to her or the conduct of her office, unlike some Liberal members have done in the past, but at the end of the day it is not for the Electoral Commissioner to determine the timing of by-elections. To do so simply because we think that in this instance the Speaker may have acted in a political fashion would be a very retrograde and dangerous step.

If I could deal with a specific instance that has occurred here: I am not sure what great political advantage could arise to the Labor Party by not having the by-elections on the same day, in any event, because we all know that Labor's chances of winning either of these seats are, in my view, quite minimal.

Members interjecting:

The PRESIDENT: Can the honourable members allow the Hon. Mr Finnigan to hold court.

The Hon. B.V. FINNIGAN: Thank you for your protection, Mr President. Obviously the Hon. Dr Bob Such passed away, and that is not something that any of us could have control over, least of all him, so that is not something that the Speaker has anything to do with, but in relation to this specific example a lot of honourable members have alluded to the fact that the former member for Davenport, the Hon. Mr Evans, had indicated—had indicated—that he was planning to resign and retire.

In the way that our parliament works, in the House of Assembly and in this august house, there is never a vacancy until a resignation is received by the Presiding Officer or the Governor if the Presiding Officer is not in the state. That again is a very important principle to uphold. The Speaker, the parliament, should not go deciding the basis of by-elections because somebody has made a press statement saying, 'I intend to resign.' Because somebody has indicated that to the media, or even to the house, is of no actual consequence until that resignation is validly received by the relevant Presiding Officer, and that again, Mr President, is a very important principle.

I am sure that a lot of us would know of examples; I can certainly think of a couple. There was somebody who was virtually measuring the drapes in an office they thought they were going to take up, and the person who had said they were going to retire changed their mind, or moved on to something else, and that person was left high and dry because they had changed their mind over a period of a week or fortnight.

There is nothing to say the former member for Davenport might have decided, when he woke up on the Friday, that, 'Actually, I think I will just serve out the rest of this term. And even though that might be a bit embarrassing, to backtrack, that's what I'm going to do.' There is nothing to say that his resignation would take effect until his resignation was received by the Speaker. So, again, I think there is a very important principle at stake there. There is no vacancy until the resignation has been received, even if a member has indicated that they intend to resign their office.

I think there are very important principles at stake here. To simply say, 'Well, because we don't like what the current Speaker has done and because we think this is some sort of political skulduggery relating to two by-elections at this particular point of time in our state's history, we should change the law, we should overturn centuries of parliamentary privilege and prerogative for the sake of some short-term political consideration' would be a grave mistake for this chamber. I urge members to oppose the bill.

The Hon. R.L. BROKENSHERE (17:40): I will be brief but I might spend a couple of minutes now because I have been told that we will be sitting tonight. I do not accept what the Hon. Bernie Finnigan has tried to argue on behalf of the government at all. There is a word used by ministers in this house regularly when members attempt to try to improve democracy, and that word is 'hypocritical'.

I think that those comments are absolutely hypocritical, because the Premier can come out and make an announcement that he believes there needs to be reform—but only in this house—and that he wants to change the terms and all the rest of it. Very quickly, if you want to go back into history there was a very good reason why the Westminster system has longer terms for the Legislative Council. Just have a look at that history.

I thank honourable members for their comments and, as I said, I will be brief in summing up. We have seen something exposed here whereby the democratic process has been affected because of the way the situation is at the moment, and an admission that it has been done for political benefit.

The absolute independent arbiter, on making all these decisions, is clearly the Electoral Commissioner. I thank honourable members for their contributions, and I look forward to the fast passage of this debate and the passing of this bill. Let's see what the government does when it gets to the other house next sitting week.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. R.L. BROKENSHERE (17:43): I move:

That this bill be read a third time.

Bill read a third time and passed.

*Motions***BORDERLINE PERSONALITY DISORDER**

Adjourned debate on motion of Hon. T.A. Franks:

That this council notes that—

1. At any one point in time, between 1 and 4 per cent of the general population experiences borderline personality disorder;
2. This illness can be characterised by overwhelming emotions, relationship problems, impulsive and risk-taking behaviour and a fragile sense of self;
3. A history of trauma, abuse or deprivation is common among those with the illness;
4. Despite its prevalence, enormous public health costs and devastating toll on individuals and families, recovery from borderline personality disorder is possible;
5. Borderline personality disorder is a leading cause of suicide, with an estimated 10 per cent of individuals with this diagnosis taking their own lives;
6. An increased understanding of borderline personality disorder is required among health professionals and the general public by promoting education, research, funding, early detection and effective treatments; and
7. With the aim of promoting understanding of the illness in the community and working towards better treatment options and quality of life for those affected by the disorder in South Australia, Ms Janne McMahon OAM, Dr Martha Kent, Professor Andrew Chanen and the Australian Borderline Personality Disorder Foundation request the South Australian Legislative Council to acknowledge the first week of October each year as Borderline Personality Disorder Awareness Week and a statewide specialised borderline personality disorder service (unit) for South Australia be established.

(Continued from 15 October 2014.)

The Hon. J.M. GAZZOLA (17:44): In giving the government's response to the Hon. Ms Franks' motion regarding borderline personality disorder, I move the following amendment:

Leave out paragraph 5.

Leave out paragraph 7, and insert—

7. The state government supports the proposal to increase the awareness of borderline personality disorder. However, this should be built into existing Mental Health Week activities. The government will also be exploring ways for improving networking of South Australian borderline personality disorder experts.

In regard to paragraph 5 of the motion, borderline personality disorder is a serious mental disorder with significant morbidity and mortality. It has been estimated that between 3 and 10 per cent of persons with BPD take their own lives (Clinical Practice Guidelines for the Management of Borderline Personality Disorder—National Health and Medical Research Council—2012). Suicide has complex social, cultural and health components. The assertion that BPD is a leading cause of suicide is not evidence-based and should be deleted.

In the past, BPD has struggled to find acceptability, respect and compassion within the arena of mental health. Historically, this has been due in part to limited effective treatment options. Now that a range of psychological therapies has been demonstrated to be effective for borderline personality disorder, the situation has radically changed. The Borderline Personality Disorder Work Group was established in June 2010 by the statewide Mental Health Clinical Network to obtain reliable information regarding the current status of borderline personality disorder service provision

within the public mental health service and to make recommendations to SA Health regarding a workable, multidimensional, statewide service delivery model for patients with borderline personality disorder in South Australia.

A report was produced by the statewide Mental Health Clinical Network titled 'Borderline personality disorder: an overview of current delivery of borderline personality disorder services in the public service across South Australia and a proposed way forward' (the report) which describes the current service delivery to consumers with a diagnosis of borderline personality disorder within the state mental health system, along with the impact on their families and carers.

The statewide strategic mental health committee has considered the report and the feedback from public consultation which ran from June 2014 to July 2014, and is working with the statewide Mental Health Clinical Network on next steps. The report offers a way forward to build on current service provision, taking into consideration the key components of a future service model based on the NHMRC's clinical practice guidelines and international best practice guidelines.

The Australian government National Health and Medical Research Council's 'Clinical practice guidelines for the management of borderline personality disorder', released in March 2013, examined the efficacy of specialised services for people with borderline personality disorder. It was determined that '...there was insufficient evidence to formulate evidence-based recommendations on the role of specialised BPD services'.

SA Health will be exploring ways for improving networking of South Australian borderline personality disorder experts but, at this stage, will not embark on establishing a specialised borderline personality disorder service. Opportunities exist to build on existing pathways by including early intervention strategies, training, supervision and support around non-dialectical behavioural therapies.

Policy development identifying borderline personality disorder as core business and enhanced services providing coordinated care will ensure a reduction in the stigma associated with this diagnosis for both consumers and their families. It will also assist in the reduction of the number of adverse outcomes for this consumer group, with direct savings to public health services through a decline in hospital presentations.

In addition, all South Australian mental health services are able to support people experiencing the symptoms of serious mental illness, including borderline personality disorder, through the SA Health Mental Health Services Pathways to Care policy directive. This directive ensures that, wherever a person presents to public mental health services, their symptoms and issues, not simply their diagnoses, are addressed and appropriate support is provided. I urge honourable members to support the government's amendments.

The Hon. J.A. DARLEY (17:49): I rise to indicate my support for this motion and to commend the Hon. Tammy Franks and the Hon. Kelly Vincent for their work in this space. I note that in a recent letter to the Editor, published in *The Advertiser*, Dr Michelle Atchison flagged the support of the South Australian Branch of the Royal Australian and New Zealand College of Psychiatrists. In that letter she stated:

The college welcomes Kelly Vincent's comments on the importance of a dedicated mental health service for persons living with the difficulties brought about by borderline personality disorder. A dedicated service, with a group of experts who can deliver timely care, is strongly supported. We will be discussing this with the Minister of Health, Jack Snelling, in the coming weeks to support the proposed plan for a specific service for the patient group.

I have also received correspondence from other stakeholders working in this area strongly in support of the motion, including Ms Janne McMahon, OAM, mental health consumer advocate. According to Ms McMahon, people with BPD experience the worst prejudice, discrimination and stigma than do others with mental illness. This appears in the main to be as a result of a lack of recognition of BPD as a mental disorder, and as such people with the diagnosis are actively excluded from the mental health system.

Because admission to psychiatric care or mental health services is often refused, general practitioners who lack the appropriate skills and training are left to manage patients with BPD. It also impacts on our emergency departments and generally our health system as a whole. My limited

understanding of this disorder is that self harm, including suicide attempts, is also very common amongst those people suffering from it.

According to Ms McMahon, in Adelaide alone there have been five BPD-related deaths known of over the last 12 months. It is also estimated that one-third of young people who die by suicide have the diagnosis or traits of BPD. The fact that we do not have a state-wide policy dealing with the issues and needs of people with borderline personality disorder is something that needs urgent attention, particularly given the alarming suicide rate that is attributable to this disorder.

In supporting this motion I urge the government, and the Minister for Health in particular, to carefully consider the devastating effect that this disorder is having on our community, and to work with advocacy and stakeholder groups on this very important issue.

The Hon. S.G. WADE (17:52): I rise to speak on this motion to indicate the Liberal Party's support for it. Also, up front I indicate that the Liberal Party will not support the government's amendment on two grounds: first, on my understanding the government's objection to clause 5 is that the suggested prevalence of 10 per cent is not evidence based. My recollection is that the SA Health work group, the borderline personality work group, does quote studies that show that the rate of completed suicide and people with BPD has been estimated to be approximately 10 per cent, and on that basis we are happy for clause 5 to stand. In relation to the proposed amendment to clause 7, we always read this motion as being focused on a statewide borderline personality service rather than the issue of the week, so in that regard we certainly prefer the original clause 7 than the proposed alternative.

In supporting the motion, the Liberal Party commends the Hon. Kelly Vincent and the Hon. Tammy Franks for bringing the motion to the council. According to parliamentary procedure one motion can only have one mover, but the two honourable members have formed a tag team on this issue, and a formidable team at that. The motion is structured in three parts, as I see it: first, the motion recognises the impact of the illness; secondly, the motion highlights a lack of understanding of the illness, even amongst service providers; and, thirdly, the motion highlights the need for a service.

Given the shortness of time and the fact that other honourable members want to make a contribution, I will not take the opportunity to highlight all the issues as I had intended to do, but I am duty bound to indicate to the council that I have received a large number of contacts from members of the public conveying their personal stories of living with borderline personality disorder, either personally or with a member of their family or someone they care for. I thank them for their courage in telling their story. That is a powerful contribution to raising awareness and it certainly has been helpful to me and other members of the Liberal Party in considering the need for a service.

I found it interesting that the shared experience was that the services generally do not understand borderline personality disorders and do not properly engage with the disorder. The SA Health Borderline Personality Work Group chaired by Dr Martha Kent and Dr Prue McEvoy referred to that misunderstanding in the following terms:

[BPD] is a serious mental disorder with significant morbidity and mortality, but has struggled to find acceptability, respect and compassion within the arena of mental health. Historically this has been due in part to limited effective treatment options. Now that a range of psychological therapies [have] been demonstrated to be effective for BPD, the situation is radically changed.

And their report goes on. Thirdly, the motion addresses the need for a service and I believe the SA Health Borderline Personality Work Group very comprehensively goes through a range of issues. Their conclusion is quite clear:

The preferred model is a statewide specialist BPD service that has an educational and service development focus with a highly specialised clinical component. A statewide specialist BPD service such as this would coordinate services and would significantly improve staff morale and patient flow through acute services.

The Liberal team looks to the experiences of the Victorian jurisdiction and what has been learnt from the work of the work group and the feedback we have had from consumers and those who care for them, and we are persuaded of the need for a statewide service. We hope that the government, having had the foresight to establish that working group, will now follow through on its conclusions.

The Hon. R.L. BROKENSHIRE (17:56): I will be brief so that this can go through before six. Family First strongly supports this. We commend the Hon. Tammy Franks and the Hon. Kelly Vincent. We thank the huge number of people who sent detailed, sad and tragic emails to us. It needs to be supported and, with that, I just say, let's get on with it, let's make it statewide and let's see some action.

The Hon. T.A. FRANKS (17:57): I rise to close this debate. While the time is growing short, I note that the majority of the members of this council are in support of this motion and we will debate it until its end. I rise on behalf of both myself and the Hon. Kelly Vincent of Dignity for Disability. As co-movers of this motion, parliamentary procedure does not allow her to also make concluding remarks, so I read her words for this council and for those who have a keen interest in this area. Ms Vincent notes:

[I speak today] as co-mover of this motion, as a passionate advocate for people with borderline personality disorder and the family and friends who care for them. Since I first became aware of this mental health issue more than three years ago, I have repeatedly asked questions of this health minister and his predecessor calling on improved services to support people with BPD and, in particular, the establishment of a specialist mental health service for people with borderline personality disorders, their family carers, and professionals who work with them.

This week is the one-year anniversary of the death of a young Adelaide woman with a borderline personality disorder diagnosis. She took her own life after our health system dismally failed her. A woman, younger than me, died last year because we, the South Australian community, could not provide adequate support and treatment through our health system. This death, like every suicide, leaves a trail of carnage, of depression, of sadness, of despair through the family and friends who surround that person. It is tragic and it should not happen.

Reports at both state and commonwealth level have recommended changes to the way we support people with borderline personality disorders in both the clinical and community settings. The state government, the mental health minister, have paid no heed. It is not good enough. Dignity for Disability is tired of reports being written and ignored. Promises of 'we'll look into this, we'll investigate that, we might do this' are not acceptable.

Let's say you have no humanity and it worries you not a bit about this tragic loss of life and the wasted years that occur when people with borderline personality disorder are not given adequate treatment through our health system. Well, let's look at the economic argument—this is just one case study.

This male, with a BPD diagnosis, presented 97 times to the Emergency Department before he had received Dialectical Behaviour Therapy, or DBT. He had a history of self-harm, alcohol and substance abuse, physical health problems and lacked suitable accommodation. After receiving DBT (and I remind the chamber that there are long waiting lists for DBT programs), he was reunited with his family and moved into independent accommodation. He had no self-harming behaviour for 18 months and no presentation to EDs for two years. The cost saving to our health system by this man not presenting to EDs is \$82,450.

Given BPD has a prevalence of 1 to 4 per cent of our population, and this group has among the highest level of unmet need, it is not hard to explain how an investment of \$1.4 million in a SPECTRUM style [resource service] could result in savings of \$100 million per year to our health and mental health budget bottom line.

It is time for parliament and this government to take action—we don't want to hear weasel words and empty promises—we want a funded, resourced statewide specialist unit for Borderline Personality Disorder. Lives are being lost, families are under enormous stress, and we are not doing our job as a community to provide support to people with mental illness. It is time to get on with it.

Dignity for Disability commend the motion to the chamber.

The PRESIDENT: Any further—

The Hon. T.A. FRANKS: I have further comments, Mr President. I now speak on behalf of the Greens and sum up this debate. I thank those speakers who made a contribution, particularly the Hon. Kelly Vincent, who cosponsored this motion with me, and indeed the Hon. Stephen Wade, the Hon. Robert Brokenshire, the Hon. John Darley, and the Hon. John Gazzola, whose speech, I think did not do him justice. I suspect it was written by a *West Wing* wannabe rather than by somebody who had actually gone and done the research.

For a start, I indicate that the Greens will oppose the government amendment to this motion. I point out to the government that this motion we debate today is, in essence, the exact same motion that the federal Senate passed, with a few slight wording changes. In that place, it was cosponsored by the Labor senator for Queensland, Jan McLucas, and the Greens senator for South Australia, Penny Wright.

Clearly, the federal and state Labor parliamentary position on this issue seems to be different. I point to their particular concern about their recommendation that instead of recognising Borderline Personality Disorder Awareness Week in the first week of October, as was done in the federal motion and as is done in the health.gov.au health calendar—the federal calendar on health events—they suggest that perhaps this issue should be hidden within Mental Health Week in the following week, totally missing the point that this has actually been declared by the appropriate organisations and recognised at a federal level as the appropriate week.

It does not want to be subsumed within Mental Health Week. The whole idea of having an awareness-raising week is to raise awareness. Lumping it in with another week does it no justice and shows that this government's contribution was not well researched. The government also baulks at the statistics around suicide. If they have quibbles around the wording—and I suspect their quibbles are around the term 'leading cause of suicide'—they should have spoken to us about that. If they want to redefine a motion and insert their own words, those words should be done in consultation, not just with the members of this council but of course with the communities they purport to serve.

Given they did not even know that this was their own motion at a federal level, given they do not even know the health calendar date for Borderline Personality Disorder Awareness Week is already set for the first week of October (as we are simply recognising here), given they had not paid heed to the annual report of the Australian BPD Foundation and seem to have very little awareness of the recommendations of that foundation, I suggest they go away and read up. When Borderline Personality Disorder Awareness Week occurs in the first week of October next year, they are invited, as members of parliament, to Borderline Personality Disorder Awareness Week.

I do hope they attend those events. Perhaps they will not be doing it as the state Labor Party representatives. They will have to come as a conscience vote because, of course, their party does not support that week, but I hope they raise their own awareness and, in turn, that of their party. With those few words I commend this motion to the council.

Amendment negatived; motion carried.

Sitting suspended from 18:05 to 19:45.

PLANNING REGULATIONS

Adjourned debate on motion of Hon. M.C. Parnell:

That regulations under the Development Act 1993 concerning assessment of significant developments, made on 14 August 2014 and laid on the table of this council on 16 September 2014, be disallowed.

(Continued from 12 November 2014.)

The Hon. D.W. RIDGWAY (Leader of the Opposition) (19:47): I rise to speak on the motion of the Hon. Mark Parnell. In August this year the planning minister gazetted changes to the planning regulations, the Development (Assessment of Significant Developments) Variation Regulation 2014 and, as we know, the Hon. Mark Parnell, in late September, moved to disallow those regulations.

By way of background, in July the Premier announced that Mr Jim Hallion, chief executive of the Department of the Premier and Cabinet, had been appointed Coordinator-General, and his role had expanded to include the private sector development coordination. The Office of the Coordinator-General is to assist developers with projects valued at over \$3 million to move through any blockages across all levels of government. It is interesting that we talk about all levels of government; I was fortunate enough to be at lunch today—

The Hon. G.A. Kandelaars: Not another one.

The Hon. D.W. RIDGWAY: It was a very good lunch; the federal Minister for Communications was the guest speaker. However, I was sitting next to some people who were involved in a marina development and marina activities in Port Lincoln, and they said it had been fortnightly phone calls to the Department of Planning, Transport and Infrastructure for some nine months to get the transfer of ownership of one of the marina berths to someone else. I think that is just symptomatic of 12 years of Labor government; they simply do not understand.

However, the Coordinator-General was appointed to assist developers with projects valued over \$3 million to move through the blockages across all levels of government. The regulations in question prescribe the Development Assessment Commission (DAC) as the planning authority for development that is considered by the Coordinator-General to be of economic significance to the state. To be eligible, projects need to have a construction value over \$3 million, including multiple projects by the same proponent that have a combined value exceeding \$3 million.

This reform is targeted at commercial and mixed use development but it is not clear if residential development is to be excluded. I note that just on the northern side of Scotch College, and I am sure you are familiar with that, Mr President, there is a new house being built and I suspect that it is worth more than \$3 million; it is quite a large structure.

The Hon. T.T. Ngo: Is that the President's house?

The Hon. D.W. RIDGWAY: No, it is not the President's. I do not even know who the person is but when we talk about commercial development over \$3 million, there are now residential developments that will exceed \$3 million popping up all over Adelaide.

Should a project be called in under section 20 of schedule 10 of the regulations, the relevant council will be provided with six weeks to formally comment on the proposal. In brief, the Coordinator-General role is supported by the following changes: changes to the Development Regulations 2008 to enable the Coordinator-General to assign the DAC as the planning authority for certain development projects of economic significance over \$3 million; and expansion of DPTI's planning division case management team as senior case managers allocated to each proponent, and I think that is a significant step in the right direction. Often proponents really do not know the way through government, and to have somebody there to guide them through and be their case manager, if you like, is a sensible move.

The establishment of a senior government task force is also one of the changes. The task force includes senior 'decision-makers' from key land use agencies used to address blockages that may be occurring within the state government agencies. The minister has also delegated authority to the Coordinator-General to use the existing 'call in' powers for assessments that have exceeded the statutory time frames as per section 34 of the Development Act 1993 and section 41 of the Development Regulations 2008. This involves applications lodged with local government to be transferred over to DAC and this approach will still involve the assessment against existing zoning in the relevant council development plan.

The LGA and council have commented that the delays tend to be with other government agencies for not getting their referral reports in on time, and they question whether changing the primary decision-maker will cause these referral agencies to be more efficient. Since the introduction of the new planning reforms, 100 proposals have been referred to the Coordinator-General for assistance, including three projects that have been approved by councils under DPTI's case management, four projects that have been called in by the Coordinator-General for assessment for the DAC, 63 projects that have been referred to the Coordinator-General for consideration, and 30 project proposals that are currently under investigation.

Recently Messenger newspapers reported that the Coordinator-General had removed Onkaparinga council planning powers from a proposed \$1.8 million service station redevelopment grouped with other On the Run developments in Aldinga, and the council's DAP had previously rejected the development in February. The LGA has questioned whether a petrol station is economically significant to the point that it warrants this special approval process.

During parliamentary estimates, my colleague Steven Griffiths, the member for Goyder, asked questions of minister Rau regarding the role of the Coordinator-General. His response was that such an initiative would provide a much-needed level of consistency within South Australia's planning system. He indicated that potential developers including ALDI, were frustrated with different planning rules from council to council which are apparently hampering investment in our state.

In liaising with the LGA, Steven Griffiths received extensive feedback predominantly with concerns about the \$3 million threshold and the lack of consultation undertaken within local

government. Unsurprisingly from the state Labor government, little information was provided to the LGA prior to the regulations being gazetted.

Additionally the LGA was initially advised by DPTI that there would be a sunset clause that would see the regulations expire at the end of the year. Unfortunately that did not occur. These are certainly familiar concerns and ones which I heard a lot throughout the time that I was shadow minister for planning. It was often that the LGA was left out of the loop, and perhaps it is a shame that while you were minister for local government, sir, you did not perhaps force the government to include them a little more in some of those consultation processes.

The LGA also has concerns that the government includes multiple projects by the same proponent with a combined value exceeding \$3 million to be called in by the Coordinator-General. Legal advice provided to the LGA has confirmed the view that this is not permissible under the regulations. We have been advised that the LGA has written to the minister seeking some clarification on this point.

Additionally, the LGA sought clarification on the other matters, such as (amongst others), how this work aligns with that of the expert panel on planning reform, what these regulations mean for residential development, how statutory time frames will be measured, and the role of the Coordinator-General in the rezoning of land.

Local government is concerned about the financial impact of these regulations on councils that would ordinarily have received the total assessment fees for these development and now receive no fee at all. I have heard anecdotal evidence that some councils are losing some \$40,000 or \$50,000 a year by their not receiving those fees themselves. This is despite the fact that the councils are still required to undertake some level of assessment in order to provide documents to DAC and still retain responsibility for the ongoing inspection and monitoring of the development. The LGA has also provided feedback that this significant cost must now be subsidised by their ratepayers.

Mr Steven Griffiths has met with various other stakeholders, including Community Alliance SA, the National Trust, the Conservation Council of South Australia and the South Australian Council of Social Services. They raised issues, including that the mechanism for major projects already exists within existing legislation, discretion is coming into the planning process by providing the Coordinator-General with such powers that the \$3 million threshold is highly manipulative (for instance, a rather large home in a high-value suburb) and, as I have mentioned before, the criteria is unclear and state heritage is a loser in the \$3 million assessment process (listings can be manipulated), and it is unreasonable that the government would implement changes prior to the final report of the expert panel being released, which is due, I think, in December some time.

We recognise the concerns of local government following the expansion of the role of the state Coordinator-General to include private sector development coordination, particularly the authority of the Coordinator-General to assign the Development Assessment Commission as the planning authority for certain development projects of economic significance valued over \$3 million. From the outset, we have had concerns with the relatively low value threshold of eligible developments set by planning minister Rau being projects that have a construction cost of over \$3 million, including, as I have said before, multiple projects by the same proponent that have a combined value exceeding \$3 million and the fact that major project declaration opportunities already exist.

After giving detailed consideration of the regulations, a determination was made that we will not be supporting the disallowance motion. To support it, in the opposition's view, would be a fruitless gesture as the state government could re-gazette the regulations tomorrow, as we know. As we see it, the important way forward is that we will focus on the legislative reforms and the effort it will receive when we see the final report from the expert panel. We intend to have significant consultation with local government and the communities when that comes through. As such, the state Liberal Party will consider changes through the proposed new planning bill.

I am sure that the Hon. Mark Parnell will not be pleased that we are not going to support his motion but, as I am no longer the planning shadow, he may also have had some discussions with the minister. My understanding is that, in the first half of next year, legislation will be introduced that reflects the expert panel, and that may be a totally new bill or some significant amendments to the

existing legislation. We think that will be in the first quarter, and we are looking forward to that. The report, of course, is due within the next couple of weeks, as we go into December. In discussions with the minister, Steven Griffiths has confirmed that his response will involve some legislative change.

Ultimately, the state Liberals are supportive of progressive planning reforms developed in consultation with local communities, which currently occurs at a council development plan level, to ensure that South Australia continues to be a vibrant place to live and conduct business. We will obviously welcome comment from local government in relation to legislative changes through a new planning bill next year.

With those few comments, I indicate, as I am sure members are aware, that we are not going to be supporting the Hon. Mark Parnell's disallowance. We are concerned that the \$3 million is too low, and I certainly will be looking to address that when we see all of the amendments and changes to the planning bills that I expect will come through this place next year, whether that is a totally new development act or whether it is some significant amendments to it.

I notice that the Hon. John Rau said on radio this morning that, because we got up early yesterday, maybe there was not much work to do, that we were like a scene from Monty Python's *Life of Brian* here in the Legislative Council. I do note that the House of Assembly got up—

The Hon. T.A. Franks interjecting:

The Hon. D.W. RIDGWAY: That's right—like a political documentary. I did note that the House of Assembly got up at a quarter to four today—

The Hon. T.J. Stephens: Ten to four today.

The Hon. D.W. RIDGWAY: Ten to four, so they would have been home in time to watch *Teletubbies* and *Treasure Island*. I am sure they would have been stimulated by that. Nonetheless, I think it is an opportunity for us to have a really good look at it next year. As the shadow minister for tourism and agriculture, we do not have a lot of legislation that passes in this chamber that I am responsible for so I am, with some level of perhaps perverse excitement, looking forward to next year when we will have a bill and some legislation that I will be the opposition spokesman for.

With those few words, I indicate we will not be supporting the Hon. Mark Parnell's disallowance motion but do place on the record we are concerned about the \$3 million threshold and we will look to work with the local community and members in this chamber to make sure that next year when we get a chance to look at the Development Act, or whatever the bill is that the minister proposes, we give it a thorough investigation and reflect the community's wishes.

The Hon. G.A. KANDELAARS (20:00): It will not surprise the Hon. Mark Parnell that the government does not support this motion. It supports economic growth and a future for our children. Since the regulations were introduced in August this year, the Coordinator-General has called in significant projects that were suffering from administrative delay rather than major issues with planning policy.

The Coordinator-General's role builds on the successful delivery of commonwealth Nation Building and Affordable Housing Stimulus housing programs. As an example, Building the Education Revolution alone saw projects built at over 500 schools across the state, creating improved facilities for students and teachers, jobs for local builders and benefits for the building and construction industry of our state which, at the time, was facing dire consequences.

South Australia is not alone in introducing a significant role for the Coordinator-General. In fact, other states have far stronger powers for their coordinator-general roles. Projects identified by the Coordinator-General are still assessed against current planning policies in the system. They go through the same assessment process just as any other application does. They still include the same statutory referrals, including a six-week referral to council, and they still include the same public notification and appeal processes. Quite simply, these projects are not bypassing the planning system. This power is being used by exception and as a last resort option.

The first priority is to work with local councils and state referral agencies to assist them working through issues. The vast majority of projects discussed will remain with local councils for

assessment. Often, the inclusion of a third party can help work through long-running blockages. This approach has already been successful. However, this process takes time and is difficult. It would be easier just to call in projects, but this is not the approach that has been taken. The government has publicly acknowledged that it is not just council development assessment panels blocking the process but also state referral agencies.

It is for this reason the Coordinator-General has established a task force to work through longstanding cultural issues within regulatory agencies to move towards can-do, solution-oriented bodies. Evidence is mounting that there are real blockages and legitimate concerns. The Coordinator-General has met with over 40 significant investors in this state and new investors looking to come here and invest. Councils and agencies are on notice to find solutions and work through often longstanding blockages.

Secondly, the government is not bypassing the excellent work of the expert panel. It is the government's view that we cannot sit idly by until reforms are introduced. Our intent in establishing this process was as an interim measure pending the final report of the expert panel to be provided in December this year. Of course, as the Hon. Mark Parnell would know, significant legislative reform takes time and we need economic growth now. We need jobs now and we need investment now, and we have acted now to make this happen.

The government has been overwhelmed by interest in this process, so it has extended the appointment of Mr Hallion as Coordinator-General. The Coordinator-General powers do not undermine the planning system and its existing processes. Rather, it provides another tool in the toolkit to help facilitate the right development in the right location, again, I stress, by exception.

This leads to the third point: this process is not intended to replace major development process. This notion is nonsense. Significant projects will continue to be assessed under the major development provisions of the act. The government strongly disputes the Hon. Mark Parnell's remark that potentially every development in the state worth more than \$3 million has now been taken out of the hands of local councils.

The Hon. Mark Parnell's comments that these projects do not individually meet the \$3 million threshold is simply not true. The tests in the regulations require that each project exceeds \$3 million in value and to be of economic significance to the state. The individual project costs must exceed \$3 million and they do include construction, fit-out, professional fees and must be verified by a quantity surveyor.

One of the big issues that this whole process has highlighted, particularly in relation to councils, is that large organisations wishing to undertake multiple developments have found that they do not get consistent planning advice given to them through councils. It is not uncommon to have the same development put to two different councils and get two different answers. This is hellishly—

The Hon. M.C. Parnell interjecting:

The PRESIDENT: Order!

The Hon. G.A. KANDELAARS: —frustrating for the business community. The lack of consistency when we are talking about the same zone and the same development in a different council area getting a different outcome is quite annoying for the business community. I encourage all members to oppose the motion before you.

The Hon. K.L. VINCENT (20:07): Very briefly for the assistance of the council, Dignity for Disability will support the motion.

The Hon. M.C. PARNELL (20:07): If there are no further speakers, I will conclude the debate. I first of all thank the Hon. David Ridgway, the Hon. Gerry Kandelaars and the Hon. Kelly Vincent for her brief but succinct statement of support. The numbers clearly are against us on this occasion, so I will not speak for too long, but I cannot let some of the comments that have been made go through to the wicketkeeper without response.

I will start with the Hon. David Ridgway who, in his own unique style, had us on the edge of our chairs while for 15 minutes he gave every reason under the sun to not support the regulations and then proceeded to say that they were not going to vote to disallow them, which was remarkable.

I cannot disagree with too much of what he said about the content. He referred to the local government objections. He referred to the dodgy \$3 million aggregate deals that are being done. He gave all the reasons why these regulations need to be thrown out and then said that they would not support this.

As I have said before, and I will say it again, you can't trust the Liberals on planning. They promised before the election they would reinstate planning powers to local councils, and I have given them two opportunities. The Greens love to give the Liberals opportunities to fulfil their election promises; twice now they have voted with the government to not reinstate planning powers to councils as they promised before the election.

What was most remarkable about the Hon. David Ridgway's contribution is that he apparently let loose with a new Liberal policy, which is not to oppose the disallowance of regulations because it would be a fruitless gesture, a fruitless gesture because the government could come back tomorrow and regazette the very same regulations.

The question then arises: if that is the approach of Her Majesty's Loyal Opposition to regulations, why do we bother? Why do we bother having the power? Why do we bother having a Legislative Review Committee—I know for the Hon. Gerry Kandelaars it is the highlight of his week—to consider regulations that the opposition has no intention of disallowing because it is a fruitless gesture?

Members interjecting:

The PRESIDENT: Order!

The Hon. M.C. PARNELL: The Hon. David Ridgway also said, 'Well, it makes sense to wait until the expert panel, chaired by Mr Brian Hayes QC, reports. That will result in legislation, and then sometime in 2015 we will have a debate about planning laws.' You can use that very same argument as a reason why we should stand up to the government using executive power to bully local councils ahead of a proper consideration of legislation. In fact, this very same argument is a pressing argument for supporting disallowance.

The Local Government Association is not happy about this, and I will put on the record some of remarks from a letter that I think went to most members, and certainly to all the major players in the Legislative Council. The association wrote yesterday, saying:

I am writing to confirm the LGA's support for the disallowance of the Development (Assessment of Significant Developments) variation Regulation 2014, moved by Hon Mark Parnell in the Legislative Council.

The LGA has again been disappointed by the Government introducing planning regulations that impact on Councils and communities without adequate consultation with our sector, and in the absence of any factual evidence to support their reform.

The LGA goes on:

The Local Government Association invites the State Government to provide any data to support its concerns about the efficacy of Council Development Assessment Panels.

The Hon. Gerry Kandelaars had an excellent opportunity to provide that evidence tonight: there was no evidence, and in a moment, I will come to his particular remarks. Again, back to the Local Government Association:

The LGA recognises that there is a need for an appropriate mechanism to break through barriers that occur at the State Government level, such as the untimely and inconsistent advice that is currently provided by referral agencies.

That is, state government referral agencies. The memo continues:

This may be an appropriate ongoing role for the Co-ordinator General.

However, these Regulations have been used as a blunt instrument to unnecessarily sideline Councils from assessment processes.

The LGA is concerned that the \$3 million threshold is extremely low and does not capture development that would be widely considered of 'economic significance to the State'. It is our firm view that the \$3 million development does not warrant a 'special' approval process, particularly when Councils have an excellent track record of supporting local economic development, approving some 97.5% of development applications lodged in one year.

Local government is supportive of planning reform that is evidence based; outcomes focussed and delivered as a complete package of reform. The disallowance of these Regulations will allow the decision making process for significant developments to be revisited in a positive and productive manner.

I urge you to support the disallowance of the Development (Assessment of Significant Developments) Variation Regulation 2014.

That is a memo from Wendy Campana, the LGA chief executive officer. That brings me to the contribution made by the Hon. Gerry Kandelaars. Whilst it is no surprise that his job is to support government regulations that members of the upper house are seeking to disallow, he doth protest too much. I have to say that when you get down to either supporting a future for our children or not, and the future of our children depends on stripping powers from local councils and giving them to someone else, I think our children are in a bit of strife. I cannot for the life of me make the connection between these regulations and supporting a future for our children.

The honourable member mentioned the school halls program as a program that was designed to avoid the global financial crisis in this country. The Greens supported that public infrastructure spending that had school halls and low-income housing built and other things. The fact that it involved the Coordinator-General is not a case for the Coordinator-General somehow taking on a godlike persona and being the responsible authority for calling in other private development; it is very different.

The Hon. Gerry Kandelaars said that these regulations would only be used as a last resort. Where does it say that in the regulations, that it is a last resort? It does not say that at all. In fact, what it will be is the first resort of developers who come up against local councils who are putting the best interests of their local communities at the forefront. The problem as I understand it was down at Aldinga, I think. A petrol station and convenience store was opposed by many in the local community. The local wine and tourism association put in a formal objection to it. It was the wrong development for that location.

The Hon. Gerry Kandelaars bemoans the fact that a petrol station and convenience store—it might have the same layout—are not treated exactly the same in every area. Whilst *Hansard* did not record the interjection because the Hon. Gerry Kandelaars did not respond to it, let me say that, if someone wants to put in an application for an abattoir in Burnside, it is going to be treated differently to an application for an abattoir outside Port Pirie or somewhere in the South-East.

The advantage of having local councils deciding local developments through their development assessment panels is that you have a mixture of expertise and also local knowledge. The local councillors, who are in a minority but sit on those panels can bring local understanding to the development assessment process. Really, what the government is proposing here is a system where, if mum says no, you go and ask dad. It is the oldest trick in the book for kids: if mum says no, you go and ask dad.

In relation to the \$3 million, I am not sure where the honourable member got his figures from, but we know from the history of service station developments, including the On the Run developments that are the subject of these regulations, that most of them are well below the \$3 million. You can try to add in the petrol in the tank under the ground, you can try to add in the packets of chips on the shelves, you can try to build it up as much as you want, but they are not \$3 million. The Hon. David Ridgway said the Aldinga one was \$1.8 million, I think from memory. We will check the *Hansard* later, but they are certainly nearly all below \$3 million, and that is what the local planners tell me.

I say what the government is using is unlawful. The Hon. David Ridgway I think referred to legal advice, but I will give it to you for free. It is unlawful. You cannot take five petrol stations in five local council areas, add them up and say, 'They add up to \$3 million; therefore, we are going to call them all in.' There are 22 of these petrol stations proposed. There is the revamping of some old petrol stations. Sure, in many cases, they might be very appropriate developments in that location that create some jobs for young people and all the rest of it, but why do you have to strip local councils of these powers? It is just ridiculous.

The final thing I will say is that I want to again acknowledge the work of the Community Alliance. As members would know, it is an umbrella group that looks after the interests of the

residents and ratepayers associations from all over South Australia. I think many of the groups individually, and certainly the Community Alliance, have contacted many members of parliament, so I will acknowledge Tom Matthews who is in the gallery today.

He will report back to their members how the major parties have failed in this instance. Their mantra is to put people back into planning, and that is certainly what the Greens have tried to do with this disallowance motion. I appreciate that we do not have the numbers tonight, and I look forward to more debate about planning next year, but I am very disappointed that the opposition in particular have missed a golden opportunity to send a message to the government that the way they are behaving towards local councils is unacceptable.

Motion negatived.

Bills

CRIMINAL LAW CONSOLIDATION (ASSAULTS CAUSING DEATH) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 17 September 2014.)

The Hon. K.J. MAHER (20:18): I will be reasonably brief. I am advised that the consistent advice received indicates no change to the criminal law is needed in relation to this matter. Currently, the maximum penalty for manslaughter is life imprisonment. This is harsher than the Hon. Mr Brokenshire's proposed legislative amendments that provide for maximum penalties of 25 and 20 years respectively.

Informal advice received from the DPP indicates that manslaughter cases for one-punch deaths are quite straightforward and have not created problems for them. The government has already undertaken significant work to reduce alcohol-related violence and deter potential violent offenders. This includes the passage of suspended sentence legislation, setting out the persons convicted of manslaughter and who cause serious harm.

Offences that capture one-punch attacks can no longer receive a fully suspended sentence. Instead, these offenders must serve at least 20 per cent of their non-parole period in custody. The government has implemented controls on liquor sales, opening hours and tighter practices in the liquor industry. In addition, we have supported public education efforts in this space. For these reasons the government opposes the bill.

The Hon. M.C. PARNELL (20:20): The Greens, too, will be opposing this bill, although in doing so we note what appears to be (although I have not seen the statistics to back this up) a disturbing increase in many of these violent crimes. The main reason for the Greens to oppose this particular bill is that it includes something that, on the conservative side of politics, has been very popular—and I refer to both the major parties in that description—of mandatory minimum sentencing.

The Hon. S.G. Wade interjecting:

The Hon. K.J. Maher: Name it—where's your evidence?

The PRESIDENT: Order! Don't sidetrack the Hon. Mr Parnell.

The Hon. M.C. PARNELL: No, I won't be distracted. I could talk about the Northern Territory, I could talk about Western Australia, I could talk about New South Wales, but I will not and I apologise to the house for being distracted by the 'ruly interjections'. This particular bill has a mandatory minimum sentence of not less than eight years for these fines. That infringes the principle that the judiciary should primarily be responsible for the determination of sentences. The role of parliament in setting maximum sentences is supported, but not mandatory minimum sentences.

So, the Greens in this instance, whilst we understand the seriousness of these crimes, I agree with the government that we have existing laws and penalties that can cope with it and really the challenge for society is not to pretend we are doing something by tinkering with the penalties but to attack these crimes at their source, and largely that will be behavioural change, which starts from

the very youngest of ages, and works its way right through society. But, we will not be supporting this bill today.

The Hon. A.L. McLACHLAN (20:22): I rise to speak to the Criminal Law Consolidation (Assaults Causing Death) Amendment Bill 2014. I indicate at the outset that the opposition will not be supporting the bill. The bill amends the Criminal Law Consolidation Act 1935 and the Criminal Law Sentencing Act 1988, colloquially known as the 'one punch bill'. The bill provides for a mandatory sentence of eight years imprisonment for any offender who kills someone with a single punch, and prevents them from using drunkenness or being under the influence of drugs to obtain a reduced sentence. Effectively the bill provides that a sentence of eight years cannot be reduced or mitigated in any way whatsoever.

I note that the current legislation provides a penalty for up to 25 years imprisonment for these offences. However, presently there is no minimum mandatory sentence that must be imposed. The Hon. Rob Brokenshire in his second reading speech highlighted some high profile cases from around the country that involved one punch assaults that caused either death or serious injury. I understand that it is largely due to cases such as these that he has decided to introduce the bill currently before the chamber.

He said that he has based the bill on the broader legislation that has been passed in New South Wales, which requires mandatory imprisonment of eight years for the so-called coward punches, a 20-year maximum for anyone who unlawfully assaults another who dies as a result of the assault, and a minimum of eight years if the person was intoxicated by alcohol or drugs. I note that the bill before the chamber includes a provision that permits a defendant to be protected from the proposed mandatory sentence if they can prove that their intoxication was not self-induced.

However, the opposition is concerned with mandatory sentencing as a policy and that there has not been wide enough consultation with interested stakeholders on the bill. Further, we should take the time to see the impact of the government's recent changes to suspended sentences and the operation of the New South Wales laws before considering such a law in this state.

The Hon. R.L. BROKENSHERE (20:24): I thank honourable members for their contributions. I will not have a go at individual parties. The consistency with the Greens I appreciate and respect, because they have a consistent pattern on this. It is the government in particular that I just find amazing, because—

Members interjecting:

The Hon. R.L. BROKENSHERE: Well may they laugh. Well may the government laugh, but we actually have—

The Hon. D.W. Ridgway: Rack 'em, pack 'em and stack 'em.

The Hon. R.L. BROKENSHERE: —a rack 'em, pack 'em and stack 'em approach to imprisonment, often for minor sentences, and often for things that could be addressed through an increase to James Nash House, or by a government that had a proactive intervention program or rehabilitation programs, etc. We do not have any of that, and that is now on the public record. In fact, I would say that the correctional services department in this state is in dismay. Its budget is a major problem, there is no capital works building program, and it is on the public record that there is no rehabilitation.

At least we knew where we were when the Hon. Mike Rann was premier and the Hon. Kevin Foley was treasurer: they were racking, packing and stacking, and they were actually focused on law and order. The reason why the former premier of New South Wales (who, in my opinion, did not deserve to have to resign) brought in a comprehensive package is because of left social ideology within the parliamentary and political systems in Australia. We are now way into the left in this state; in fact, the Premier is the leader of the left.

The reason the Hon. Barry O'Farrell actually brought in a comprehensive package is because the community of New South Wales demanded action on coward punches. What I find really interesting is that, because of tragic circumstances, we have a government that is actually putting money into education programs, but they do not have a holistic approach to the way they go about

managing and combating what is now an increasing situation in this state, that is, coward punches and serious assaults.

I will just say a couple of things on this, because I think it is really the government that needs to understand more than anyone else, because they say, 'Trust us, we're the government, we know best' and that the rest of us do not know, but when you actually give them the opportunity to look at something that is reasonable—one tool to help police, to help the justice system, and to help send a message that we will not accept assaults and coward punches—what do we get from the government? 'Oh no, we can't do it.' Well, I do not believe the community are buying it.

A few weeks ago I met with the mother of a lovely young man from down in my own region, and she strongly supports this. I am not going to push the issue right now, because the parliament is about to be prorogued and I accept the fact that we are not going to get anywhere with the bill. Suffice to say that when Mr Weatherill and his party stop playing political games and we come back for 47 days next year, and we get over the fanfare and glorification with the horses and the police band, the army, navy and air force, the judges and all the other nonsense that goes with the opening ceremony, and actually get back into the business of trying to make this state a better place, an economically stronger place and a safer place, I will be bringing this bill back.

I will be bringing it back because if you talk to the police and those people on the front line they will tell you that they want every tool possible. We do not get it from this government. It is a lefty government, and why don't people wake up to that in this state? I do not know, sir, but I will tell you one thing: while I am in this house—

The Hon. K.J. Maher interjecting:

The Hon. R.L. BROKENSHERE: No, I do not want to go home early on this, because I actually believe in a state that is safe and economically strong, and at the moment we have neither. Therefore, what I want to say to this government is: show some pattern and some consistency, or go to the people and say, 'No, it's all about lifestyle choices.' If your son or daughter happens to be involved in an incident where some drunk or some drug addict actually coward punches them and they die, then the government have to answer as to why they would not support this. No-one else has to, because no-one else is in government.

I accept the fact that at the moment I do not have the numbers, but I do say to the government that I will be bringing this back because the government does not have the answers, and the government is not serious about addressing this issues. Ask the parents and the young people in this state how safe they still feel out here. Sure, the 3 o'clock lockout actually did do some good and we supported that because the government wanted another tool and we gave them that tool, but when it comes to a serious tool, 'Oh, no, we are all scared of the criminal lawyers' and those who say 'No, no, no, you are the parliament, you legislate, but do not give us a minimum mandatory.'

I suggest to you that when people come over here from another state and get off sentences on the basis of technicalities because they were actually over here to get blind drunk, to actually go out and cause trouble and an individual loses their life in an incident at Glenelg—just as one example where I have met with the mother—I say to you, give the police the tools, give the courts the tools and send the message. Come over here to a so-called vibrant city. Come over here and have some fun. Let us enjoy Adelaide. It is a great city and a great state, but let us actually make the place safe because it is not at the moment. I say to the left of the Labor Party, you cannot have it both ways.

The Hon. K.J. Maher: You use parliamentary privilege to defame those who are doing something about it. You come in here and use parliamentary privilege to defame those who are doing something about it.

The Hon. R.L. BROKENSHERE: Who have I defamed?

The Hon. K.J. Maher interjecting:

The Hon. R.L. BROKENSHERE: Who? The Premier? No, I have not defamed the Premier.

The Hon. J.S.L. DAWKINS: Point of order: interjections happen in this place, but the Hon. Mr Maher actually had his back turned to you and I think that is very disorderly.

The PRESIDENT: Try and remember to interject when you are facing me. I am sure the Hon. Mr Brokenshire does not get offended by a little bit of bantering.

The Hon. T.A. FRANKS: Point of order: you cannot assume to know what any member in this place does or does not want in terms of banter and interjection. Perhaps you should have one rule for all.

The PRESIDENT: There should be, but the Hon. Mr Brokenshire is not frightened as he has bantered continually when other people have talked, so I think he can take a little bit himself.

The Hon. T.A. FRANKS: Point of order: that was more than banter that he was being subjected to and if you paid more attention to the goings on in this council you would have a more orderly council.

The Hon. R.L. BROKENSHERE: First of all, I did not defame anybody in the house today. I simply put the facts forward for the public record. I am not going to let the government off the hook. I have plenty of energy. I believe we need multifaceted tools to give to those in authority. We have a situation that you cannot sweep under the carpet and that is that we need to protect all the good people who want to go out there and have a bit of fun so they can get home safely. We will adjourn the debate on this. I thank all colleagues for their contributions and I look forward to taking it right up to this government because they deserve it.

Second reading negatived.

EVIDENCE (JOURNALISTS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 2 July 2014.)

The Hon. J.A. DARLEY (20:33): I rise very briefly to speak on the Evidence (Journalists) Amendment Bill. It goes without saying that I support this bill which is, in essence, the same as that which I introduced earlier this year and which passed this house with overwhelming support just recently. I am extremely disappointed that the government and the two so-called Independent members in the other place chose to defeat the second reading of that bill. That seems to be a common theme at the moment.

The Attorney has dismissed the need for this legislation on the basis that no journalist has ever been prosecuted for refusing to reveal their source in this jurisdiction and that, as such, it is unnecessary. Not only is this a superficial response, it is based on a flawed argument. We all know that the threat of prosecution in and of itself can be enough to cause sources and journalists alike to be reluctant about disclosing information that is in the public interest.

In a recent opinion piece, Senator Nick Xenophon made the point that if new federal laws on data retention are passed, the impact of the state government's decision on free speech will be magnified for the worse. If passed, it will mean that every call you take, every internet move you make, the government will be watching you and by doing so it will make it almost impossible for investigative journalists to do their job.

The government needs to consider the bill in a broader context. This bill is about transparency and accountability. It is about striking a fairer balance between ensuring the administration of justice on the one hand and upholding the public's right to know without fear of incrimination on the other. There is an opportunity now for the government to reconsider its position and follow the example of other jurisdictions, including the commonwealth, and pass the bill. I urge the government to do so and I urge the Independent members in the other place to reflect on the broader context and the ramifications that we face if the bill is not passed and to reconsider their position on this very important issue. With that, I support the second reading of the bill.

The Hon. K.L. VINCENT (20:35): As the Hon. Mr Darley has pointed out, this bill is basically a reincarnation (if I may call it that) of his bill. We supported the Hon. Mr Darley's bill and we will support this bill for the same reasons. We, like the Hon. Mr Darley, were extremely disappointed to see a minority in the lower house collude to block this very important piece of legislation. We also

believe it is important, particularly in this day and age where the definition of what arguably constitutes a journalist is ever expanding, with increasing access to technology. Therefore, people are increasingly taking up their responsibility and their opportunity to have a voice in the media and it is increasingly important that we protect those people in order to have balanced and truthful journalism.

So, we strongly support the bill, no matter which member is putting it forward, and we will continue to do so until we see it pass. Finally, I again reiterate that we are bitterly disappointed the government does not support the bill. We have to ask ourselves, and I think the government sincerely needs to ask itself, why it will not and what it has to hide.

The Hon. T.A. FRANKS (20:37): I rise on behalf of the Greens to support the bill, as we did with the Hon. John Darley's bill. It is well known that the Greens support journalist shield laws. We commend the Liberal opposition and previously the Hon. John Darley for their work on this issue. I particularly note the work of Senator Scott Ludlam and the member for Denison, Andrew Wilkie, at a federal level on these issues and, as the Hon. John Darley mentioned, Senator Nick Xenophon.

These journalist shield laws are important, not simply because we enjoy a healthy democracy, but because they are integral to a healthy democracy. The fourth estate is a vital part of our democracy. We heard lots of lectures earlier this evening about how we must defend the Westminster system and how we need and must cherish and nurture our democracy. Well, without the ability for journalists not to disclose their sources, if forced to by a court, we will not see people feel that they are, in the public interest, able to go and reveal corruption to journalists.

We will be in a position where what is often seen as a secret state (the secret state of South Australia) will become even more secretive and it will become the scared state. Many people are already fearful of coming forward for fear of retribution. If a journalist knows that they will have no defence they too will feel fearful. They already have to run everything by the lawyers and should they not do things in the public interest there are penalties that apply there.

I think the Weatherill Labor government should be leading the way, but yet again we are lagging behind and it is up to the Legislative Council to show true leadership. With those few words, I point out to members of the government benches that this is a strong held campaign of the Media, Entertainment and Arts Alliance and that they are very much out of step with the journalists' union on this, but it is not the first time in this place that the long and hard fought campaigns of the unions have been ignored and I suspect it will not be the last. With those words, the Greens look forward to the second reading and committee stage of the bill and we hope that it will get a fair hearing in the lower house the next time it is debated there. Certainly, I think we should be looking towards strengthening our democracy, not weakening it.

The Hon. S.G. WADE (20:40): I would like to thank the honourable members who contributed to this debate: the Hon. John Darley, the Hon. Kelly Vincent and the Hon. Tammy Franks. I must say that I find it almost quaint that the Hon. Tammy Franks thinks the Labor Party might actually stand up for workers and unions. It has just become a self-perpetuating political elite; no longer is it anything resembling the Labor Party that was established in the late 1890s.

In bringing this second reading debate to a close, I want to stress that this bill is substantially the same as the Darley shield law bill that was passed by the Legislative Council earlier this year. The Hon. Mr Darley and this council supported Liberal amendments as we forged a consensus such that the two bills became very similar.

Unfortunately, on 30 October that bill was defeated by the Weatherill Labor government in the House of Assembly. For the benefit of honourable members in this place in considering this bill tonight and in anticipation of the house's consideration in due course, I want to address some of the issues raised by the government. First, the Attorney says there is no evidence that there has been any mischief that necessitates the law. He says shield laws are unnecessary because no journalist has been jailed in South Australia. However, I am advised that in fact a South Australian ABC journalist spent 11 weeks in prison in 1993 after being found guilty of contempt of court for failing to reveal a source.

In a letter addressed to the Attorney-General and sent to all South Australian ministers, an alliance of media organisations linked to the Australia's Right to Know coalition argued that the legislation is necessary and important. The letter reads:

The local and international jurisdictions that have implemented journalists' shield laws have done so not because there has been a raft of 'evidence' or 'court actions' or journalists paying fines and/or doing time in jail, rather, and importantly, those jurisdictions have acknowledged the importance of strengthening the protections provided to journalists and their sources in fostering freedom of the media and the public's right—and need—to know.

The letter was co-signed by The Newspaper Works and its founding members: APN, Fairfax Media, News Corp and West Australian Newspapers, as well as by APP, ABC, ASTRA, Bauer Media, Commercial Radio Australia, FreeTV, the MEAA (which I think is the union that the Hon. Tammy Franks referred to) and SBS.

The media organisations noted in the letter that concerns around the protection of journalists' confidential sources have been highlighted in recent court cases involving journalists such as Steve Pennells, Adele Ferguson, Nick McKenzie, Richard Baker and Paddy Manning. But even if there were no examples of retribution being carried out against a journalists' source, the Liberal team would argue that the risk of retribution is reason enough for these laws. In this context, I want to quote a column in *The Advertiser* by Senator Xenophon, a former member of this place. In the column on 4 November 2014, the senator states:

Protecting journalists' sources is critical to safeguarding our right to know, especially when a government stuffs up with our money or with decisions that affect us all. Rau saying the Bill (introduced by my colleague John Darley and passed by the Upper House) was somehow 'flawed' because no journalist has been prosecuted for refusing to reveal a source is itself flawed. The mere threat of prosecution can itself have a chilling effect on free speech and reporting.

Journalists and editors will be wary of running a story, no matter how strongly it's in the public interest, if they could face an indefinite jail term. But more importantly it will mean that sources, usually public servants risking their careers and jail time, just won't come forward with vital information....As China scholar Perry Link has observed, such laws are like having 'a giant anaconda coiled in an overhead chandelier. Normally the great snake doesn't move. It doesn't have to.' What adds insult to injury is that around the country laws to protect journalists' sources are already in place.

I join the other honourable members, the Hon. Mr Darley and the Hon. Tammy Franks, in indicating our disappointment with the so-called Independent members of the House of Assembly, the Hon. Martin Hamilton-Smith and the Hon. Geoff Brock. We are very disappointed that neither of them supported the bill. Again, I believe quoting a third party makes my point better than I could make it myself. I quote from *The Advertiser* of 31 October and an article entitled 'Independents mere puppets on big issues'. The article reads:

When Martin Hamilton-Smith and Geoff Brock joined Labor's cabinet, both pledged to remain fiercely independent as ministers and use their new found influence to lobby for positive change within government.

Each made the leap for a different reason. Mr Brock said his hand had been forced by an election result that left only one party able to form a stable government. Mr Hamilton-Smith deserted the Liberals because he was sick of being in opposition and believed he could better serve the community in cabinet. Many scoffed at the time. Others allowed them the benefit of the doubt.

This week, we've seen this pair subordinate the independence they boasted of to the whim of Labor masters and become meek at a time when the community expects them to stand tall.

Later in the article it said:

Yesterday came more evidence that the trappings of ministerial offices appear to have made the pair mere puppets to the Labor line.

South Australia is one of the few states in the nation without laws allowing journalists to protect their sources when it is in the public interest. Publishing stories like the water rorts revelations or the leaks about the state of the budget could result in a knock on the door, a trip to court and threat of prison.

It puts a chill wind through the Public Service, and leaves voters deprived of information they need and deserve to make informed decisions. If independence means anything, this week should have been a prime time to display it.

Again, I believe that Senator Xenophon is also worth quoting on this point. In the same article I mentioned earlier he said:

I'm gobsmacked that lower house Independents Martin Hamilton-Smith and Geoff Brock bought the government's slithery excuse. Gentlemen, I reckon the Attorney-General has played you. But there's time to fix this mess. An almost identical bill to John Darley's, from the opposition, is in the upper house, where it's expected to pass. My plea to Martin and Geoff to reconsider their position when the bill gets to the lower house. Because if they don't, that anaconda will become even more menacing.

I concur with Senator Xenophon. I hope the honourable members in the other place will support this bill. I commend the bill to the council.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. S.G. WADE (20:49): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Motions

WAITE, MR PETER

Adjourned debate on motion of Hon. D.W. Ridgway:

That this council—

1. Notes the centenary of Peter Waite's donation of the Urrbrae estate to the University of Adelaide for the study of agriculture;
2. Acknowledges the significant outcomes delivered by the University of Adelaide and, in particular, the Waite Campus, as a result of this philanthropic gift; and
3. Recognises the position of the Waite Agricultural Research Institute to contribute positively to ensuring global food security and providing Australia's agricultural, wine and food industries with innovative research-led developments.

(Continued from 6 August 2014.)

The Hon. K.J. MAHER (20:50): I am pleased to speak to this very important motion. In doing so, we note the centenary of Mr Waite's donation of the Urrbrae estate to the University of Adelaide and acknowledge the significant outcomes delivered by the university and many other research organisations collaborating, in particular on the Waite Campus.

In 1913, Peter Waite presented to the University of Adelaide his valuable Urrbrae estate comprising 54 hectares of land and a house. In 1915, the adjoining Claremont and Netherby estates were presented, comprising an additional 67 hectares. In addition, Mr Waite donated 45 hectares of land adjoining his Urrbrae bequest to the state government of the day for the purpose of an agricultural high school. This school, now known as Urrbrae Agricultural High School, sits on this land.

The bequest of land and a financial investment of a little over £100,000 allowed the University of Adelaide to establish the Waite Agricultural Research Institute, which later became the Waite Campus of the university. The objective of the bequest was 'to advance the cause of education and more especially to promote the teaching and study of Agricultural and Forestry and allied subjects'. Indeed, in Peter Waite's letter to the University of Adelaide's Chancellor, Sir Samuel Way, at the time of his bequest he said:

Our population will continue to increase I hope, more and more quickly, and the natural outlet for the energies of our rising generation appears to me to be in producing wealth from the land. Our State has hitherto done notably in all branches of agriculture and the allied arts and, largely, without scientific direction and education. In the future competition threatens to be so keen that we must equip our people in the best possible manner. In the belief that such sections of the university work as agriculture, botany, entomology, horticulture, and forestry can be better dealt with upon such a property as Urrbrae than at North Terrace, I now desire to offer as a gift to the University the Urrbrae Estate.

Peter Waite's vision has come a long way over the last 100 years. The Waite Institute has developed into an integrated research and teaching precinct and is a world-class model for the co-location of agricultural research institutions. Today, the Waite Research Precinct is Australia's leading research, education and commercialisation cluster. It has the largest concentration of expertise in the Southern Hemisphere in the areas of biotechnology, cereal breeding, sustainable agriculture, wine, horticulture and land management.

The Waite, as it is known, is home to internationally renowned research bodies, including the Waite Research Institute, the Waite Arboretum, Urrbrae House Historic Precinct, and the Waite Conservation Reserve. In addition, the Hickinbotham Roseworthy Wine Sciences Laboratory is a state-of-the-art winery and research facility undertaking work for the South Australian and Australian wine industry through education, research and service to the industry.

As a leading educational precinct, the Waite Campus of the University of Adelaide delivers on Peter Waite's vision, offering a wide range of undergraduate and graduate programs through the science faculty. This includes leading research in the areas of horticulture, plant and pest science, viticulture, soil and land systems, and developing the next generation of agricultural specialists.

The Waite now comprises a number of Australia's leading primary industries and environmental research organisations, including the Australian Centre for Plant Functional Genomics, the Commonwealth Scientific and Industrial Research Organisation (CSIRO), the Australian Wine Research Institute, and the South Australian Research and Development Institute (SARDI).

Staff and students of the university have the opportunity to collaborate with researchers and scientists from these organisations, which provides an opportunity to gain practical and theoretical knowledge through participation in a range of ongoing national and international research projects. It makes sense that South Australia's dedicated primary industry and development institute is based at the Waite. It fits with the intentions of Peter Waite when he bequeathed the land. There is no doubt that SARDI, in collaboration with the university and other industry partners, is ensuring that our agricultural sector remains ahead of the curve in a competitive global market.

I have had the opportunity to visit the Waite Campus on a number of occasions this year and on each occasion I have been impressed with the research being undertaken, particularly the research which is undertaken in collaboration with SARDI which is at the forefront of primary industry research and development in Australia, delivering high-quality research solutions to increase the productivity, quality and biosecurity of our state's primary industry and food enterprises.

We are grateful for the fact that this gift to our state has resulted in our research being recognised as leading the nation in strategy for research development in so many areas of agriculture. If you think of any food produced in South Australia, in nearly every aspect of agriculture production being undertaken today, there is a strong likelihood that collaborators operating at the Waite Campus have played a role in its research and production, whether it be developing new oat varieties or helping grape growers deal with heatwaves in vineyards, which has led to increases in agricultural productivity.

Late last year, the University of Adelaide celebrated Mr Waite's donation of his Urrbrae estate by offering the Peter Waite Centenary Scholarship for Excellence in Agriculture. The scholarship aims to support outstanding future leaders in agriculture through their PhD studies in the area of plants or soil science. We are confident that the Waite project, which began in 1913 and which has gone from strength to strength for over 100 years, will continue to yield dividends for the agriculture sector for a very long time into the future.

I congratulate the Hon. David Ridgway on bringing this motion to the chamber. This government recognises the importance of premium food and wine to the economy of South Australia and supports its development as one of its major strategic priorities. The future potential for South Australia's food, beverage and fibre industries is strongly supported by the innovation of research organisations at Waite and a legacy of the vision that Peter Waite had a century ago. We are pleased to support the motion in this council.

The Hon. R.L. BROKENSHIRE (20:56): A nice way to finish the evening, or close to it, is to see some multipartisanship. It does not happen often enough in this house, especially from the

government. From the crossbenches, yes, and the opposition, yes—but here we do have an example of it. I congratulate my friend and southerner the Hon. Kyam Maher on his wisdom in understanding the importance of the bequest. Even my other friend, minister Hunter, realises what a great bequest Mr Peter Waite, a fantastic South Australian, has made.

I see him diligently reading lots of magazines on science, and as a scientist the Hon. Mr Hunter would appreciate that you cannot have a good science facility if you do not have land on which to build the facility. This is what Mr Peter Waite's donation of the Urrbrae estate has provided. I want to commend the shadow minister, the person who has a real focus, genuine passion and compassion for agriculture, for putting this motion forward. I put on the public record that Family First strongly endorses this motion.

We have heard my friend the Hon. Kyam Maher talk about the university side, and he did mention Urrbrae, and I also want to touch on Urrbrae. Think for a moment about the House of Assembly's green carpet and something I am passionate about, the wheatsheaf and the wine grape. Mr Peter Waite realised that. That statement says that the state of South Australia was built on and became vibrant as a result of agriculture and philanthropists such as Mr Peter Waite.

Successive governments, Liberal and Labor, have allowed the growth and development of the greatest publicly-owned agricultural precinct and research and development centre in the Southern Hemisphere; in fact, I do not know for sure, but it could be in the whole world—it could be in the Northern Hemisphere as well. It is a state-of-the-art facility that for generations has done us proud when it comes to developing agriculture. I hope that, in the future, that legacy will continue to grow opportunities.

Even this government, which ripped apart PIRSA and which did not really realise that people get hungry and have to eat, are now realising that fact. We saw it with the free trade agreement announcement, where the Premier came out and piggybacked on what the Prime Minister had done, announcing that they are going to get serious about capitalising on the free trade agreement with China. I congratulate the Premier on that, and I would like to see more of it. One of the most important things you can do to help that is to actually educate the future agricultural sector of South Australia, and that is what Peter Waite wanted.

I am very proud and appreciative of the fact that I was a student at Urrbrae Agricultural High School. 'Science with practice' is the motto, the wheat sheaf, tying in with what we have in the House of Assembly. Peter Waite was a visionary. He loved and had passion for agriculture. He provided this land, and long may that land continue to provide opportunities for our future generations in growing value-added food production from the farm gate to the plate right across the world.

What we have now, and I just want to finish with this, is an agricultural high school, we have the Urrbrae certificate course and we have integration on that campus with TAFE. From there, you can go across Fullarton Road to the University of Adelaide's Waite Campus and, ultimately, when you graduate, you can go back and do oenology and the wine sciences there, and teach or carry out research and development or, particularly with plant breeding, you can do research and development.

As well as that, it has left a magnificent, large, open space area for all South Australians to enjoy. I do say one caveat that I think Mr Peter Waite would not mind my putting on the public record today, that is, that we have probably encroached too much on our farming land in both the Urrbrae Agricultural High School campus and the university Waite Institute campus with arbour and wetlands. We need to understand and teach the balance between agriculture and the environment but, in my opinion, we cannot afford to see any more of that land going out of agricultural production.

With those words, again, I congratulate the Hon. David Ridgway, shadow minister for primary industries, and commend the vision and philanthropy shown by Mr Peter Waite. In this centenary, I think it is fitting that not only do we acknowledge, appreciate, thank and applaud Mr Peter Waite, but I leave a challenge for this government, and future governments, to ensure the absolute protection of this particular facility and campus, and growth opportunities to grow agriculture in our State of South Australia. I commend the motion to the house.

The Hon. J.S. LEE (21:02): I rise today to make some brief remarks to note the centenary of Peter Waite's donation of the Urrbrae estate to the University of Adelaide for the study of agriculture and, of course, to congratulate the very hardworking Hon. David Ridgway for bringing this matter to the chamber.

Mr Peter Waite was a proud and remarkable South Australian who contributed his life to the advancement of South Australia's agricultural sector. He was a man who wore many hats and was known as a successful farmer and innovator, entrepreneur, philanthropist and a prominent pioneer of agricultural research, and I am delighted to have this opportunity to acknowledge his outstanding commitment to South Australia.

It has now been a century since Waite's original gift of the Urrbrae estate to South Australia, and his legacy through the Waite Agricultural Research Institute has continued to contribute positively to ensuring our global food security greatly benefits South Australia's agricultural, wine and food industries with innovative research-led developments.

To this day, the donation of the Urrbrae estate remains one of the largest public benefactions in South Australian history. With the generous bequest of land and Urrbrae House by Peter Waite, the Waite agricultural research institute was established in 1924 as a world-class research facility. Now, 100 years after the handover, the Waite Campus is Australia's leading research education and commercialisation precinct for agricultural science. A distinctive feature of the Waite Campus is the collocation of 12 Australian premier research and development organisations, enabling greater collaboration and the sharing of infrastructure and expertise.

South Australia has greatly benefited from the generosity of Peter Waite, allowing our farmers to gain world-class knowledge and technologies from the institute. South Australia's food industry generates more than \$14 billion in revenue and employs one-fifth of the state's workforce. This vitally important industry helps to contribute to the total agribusiness sector in South Australia and therefore investing into this sector is extremely important, as farmers continue to battle the extreme outback weather, conditions and various diseases that continue to threaten their livelihood and the agricultural sector.

As the shadow parliamentary secretary for small business, trade and investment, I continue to meet with various stakeholders and business leaders from overseas and within South Australia who are working in partnerships with the Waite Institute, and they are gaining valuable research expertise from them in terms of collaboration. This Friday 21 November, I very much look forward to attending the Food SA 2014 South Australian Food Industry Awards. I am sure the Hon. David Ridgway will also be there and we shall witness the great extent of the achievements of the food industry. These awards will highlight the best of the best of industry leaders in South Australia.

Many of the primary producers in the agriculture industry have been beneficiaries of the Waite Institute. I also want to acknowledge the United Nations Association of South Australia on their recent event, which celebrated the International Year of Family Farming. The Leader of the Opposition Mr Steven Marshall and I were delighted to attend the UN event. We paid tribute to the hard-working South Australian farmers who continue to strive for successful production, despite the harsh conditions and the lack of support sometimes shown by the state Labor government.

South Australia has a fantastic agriculture industry which we need to continue to nurture. It was through Peter Waite's generosity, pioneering spirit and vision that South Australia was established as a world-renowned agriculture and research hub. His legacy should be celebrated and deserves to be on the public record. I would like to thank the shadow minister for agriculture and primary industries, the Hon. David Ridgway, for moving this important motion. He has a great passion for and experience in the agriculture sector, and I always feel that he is a farmer at heart. With those few remarks, I commend the motion to the house.

The Hon. J.S.L. DAWKINS (21:07): I rise to support this motion and congratulate the Hon. Mr Ridgway for bringing it to this chamber. In the last few months, I have been pleased to have had the opportunity to read the book which is known as *The Waite*, written by Lynette D. Zeitz. I know the use of props in this chamber is out of order, but I do have a copy of the book sitting on my desk. This book is described as 'A social and scientific history of the Waite Agricultural Research Institute'. The cover note on the book says:

The Waite Campus is one of the world's leading agricultural research and teaching precincts. It is fitting for this updated history to be published in 2014, the 140 years anniversary of the University of Adelaide.

I interpose that it is fitting that only today in this chamber the Hon. Mr McLachlan has moved a motion in regard to that 140th anniversary of the University of Adelaide. The cover note continues:

It is 100 years since Peter Waite formally bequeathed his Urrbrae property to the University in 1914, and 90 years since the University established the Waite Agricultural Research Institute in 1924.

Former University Registrar V. A. Edgeloe published *The First Fifty Years 1924-1974* in 1984.

Since then the Waite Campus has added several large new research institutes and has strengthened its reputation. Lynette Zeitz has completed this detailed but engaging history to bring the story of the Waite Campus up to date. Her approach of focusing on the people, their personalities as well as their commitment to science, creates a lively and definitive work. I certainly enjoyed the book, particularly aspects of the incorporation of Roseworthy Agricultural College and the Waite Institute into the University of Adelaide nearly 20 years ago.

The book also covers various changes in focus of the Waite Campus over many different directors and many different governments and administrations. Those of us who have seen the public sector over a long time probably recognise that those things happened. The Hon. John Darley would be best placed, probably more than anybody here, to comment on the different changes that the public sector has to undergo. The dedicated staff at the Waite and the other facilities that it works with have managed to adjust very well to those changes.

The book also covers all of the other wideranging work done at the Waite across many agricultural and horticultural sectors. Lynette Zeitz, the author of the book, is a history graduate of the University of Adelaide and has been the manager of the Urrbrae House Historic Precinct at the Waite since 2008. She is also a visiting research fellow with the university's School of History and Politics. I commend her for covering the history of the Waite in a very interesting manner. It is something that I can recommend wholeheartedly to other members if they are at all interested in the history of science in this state and, of course, the Waite Agricultural Research Institute. I commend the motion to the chamber.

The Hon. D.W. RIDGWAY (Leader of the Opposition) (21:12): I would like to sum up the motion and thank the honourable members for their contributions: the Hon. Kyam Maher, the Hon. Robert Brokenshire; my honourable colleague the Hon. Jing Lee; and, of course, the Hon. John Dawkins. I thank members for their contributions in support of the motion.

It is important that we recognise this wonderful bequest from Mr Peter Waite and the contribution it has made to our agricultural industry. As I said earlier in another discussion this evening, it was the industry that this state was founded upon, it was the biggest industry then and it is still the biggest industry in South Australia and it is important to recognise the contributions that have helped to steer the industry to where it is today.

I note that we have had an interesting grain season this year where it basically stopped raining around about the end of July/early August, yet right across the state farmers are surprised at the volume and quality of the grain they are harvesting. I suspect that is due in no small part to the research that has been undertaken over a century in improving grain crop varieties, grain varieties, different farming and tillage methods, different disease control, different rotations and different plant breeding programs.

You cannot pinpoint one particular thing but the combination of those things has meant that 100 years on some of our farmers, in a particularly strange sort of season, are going to have one of their best years ever and some are going to be pleasantly surprised that it is not the disaster it may have been 20 or 30 years ago. I think we have to be thankful for the foresight of Peter Waite and his contribution to agriculture in this state. I thank members for their contributions.

Motion carried.

The PRESIDENT: It is good to see so much bipartisan support.

The Hon. D.W. RIDGWAY: I have never heard of 'bipartisan'.

The PRESIDENT: Neither had I, but obviously we have it now.

EVANS, HON. I.F.

Adjourned debate on motion of Hon. D.W. Ridgway:

That this council acknowledge the service to the parliament of the Hon. Iain Evans, minister of the Crown from December 1997 until March 2002, and a member of the House of Assembly for the seat of Davenport since 1993.

(Continued from 30 October 2014.)

The Hon. J.S.L. DAWKINS (21:14): I rise to indicate my support for the motion, and I am grateful to the Hon. Mr Ridgway for bringing it to this council. I think it is appropriate that we acknowledge the efforts in this parliament of the Hon. Iain Evans. Iain was a member of the state parliament for 21 years, and other colleagues have given great detail about the combined service of he and his father Stan to this parliament and, I think, their great commitment to the Westminster system.

I first met Iain at Enterprise House in late 1993. The then premier, Lynn Arnold, had called the election for mid-December, so there was a meeting of candidates, of which Iain was one, and of the state executive, of which I was a member. That is my first recollection of meeting Iain, although I had been well aware of and acquainted with his father, Stan, before that.

I certainly had more to do with the Evans family when I worked for Alexander Downer in the federal seat of Mayo in 1994-95. I particularly had a lot to do with Iain's mother, Barb, who is a wonderful stalwart not only of the Liberal Party but also of the community. She was of great assistance to me as someone my friends in the Hills described as a 'flat-country man' who was trying to work in and understand the machinations of a seat which took in most of the Adelaide Hills and also quite a bit of the near foothill suburbs. During that time, of course, because of Barb's influence in getting people to attend the functions, quite often Iain and his family would be rallied to come along and support whatever Barb was organising.

Soon after coming to this parliament, when Iain was the minister for recreation and sport, he made me his representative on the committee which was coordinating the training activities and associated logistics for quite a number of international sporting teams that were based in Adelaide in the lead-up to the 2000 Sydney Olympics. That committee went on for some months.

It was a good experience to work with the Office for Recreation and Sport, which was under the leadership of its then chief executive, Simon Forrest. I think that experience served me well in seeing how the private sector, including tourism organisations and accommodation organisations, work together with government and, in my case, a member of parliament. I remember that experience very well.

From very early in my days here, I remember the cricket matches that were played against the media. Sadly, we have not seen any of those for a while. The media side, even though they are blessed with younger members than we are largely, do not seem to be able to get a team together. Certainly, my memories of those early games feature highly the efforts of the Hon. Iain Evans, generally as a batsman, although he would occasionally show his skills bowling and was very enthusiastic in the way he competed. I think, as has been shown in public life and in this place, he is a competitor. When he is in the game, you know he is in the game. As I say, that was particularly demonstrated on the cricket pitch.

Of Iain's 21 years of service to this parliament, I have been a colleague for 17 years, and I suppose I have witnessed on many occasions the great passion that he holds for the seat of Davenport and the general Adelaide Hills area, along with his knowledge of many of the issues that face those large peri-urban areas, such as the transport difficulties and the extraordinary fire risk. Anybody who has been on the Natural Resources Committee in recent years would be well aware of the passion that Iain has brought with his concern about the fire risk and the planning and development issues in relation to fire awareness in his electorate and nearby areas.

Iain also brought great energy to all the portfolios he served, whether in government or in opposition, and I think that even in private life beyond this place we will probably see him show some of that energy in areas about which he is very passionate, particularly the environmental area. Again, I thank the Hon. Mr Ridgway for bringing this motion to the council, and I understand it will be finalised

in the next sitting week. With those comments, I wish Iain, Fiona and all the Evans family all the very best for the future.

Debate adjourned on motion of Hon. K.J. Maher.

Bills

STAMP DUTIES (OFF-THE-PLAN APARTMENTS) AMENDMENT BILL

Introduction and First Reading

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

PUBLIC FINANCE AND AUDIT (TREASURER'S INSTRUCTIONS) AMENDMENT BILL

Introduction and First Reading

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

At 21:23 the council adjourned until Thursday 20 November 2014 at 14:15.