MINUTES OF THE PROCEEDINGS
OF THE

LEGISLATIVE COUNCIL

WEDNESDAY 10 NOVEMBER 2010

1. Council met pursuant to adjournment. The President (The Hon. R. K. Sneath) took the Chair. The President read prayers.

2. The Minister for Mineral Resources Development (The Hon. P. Holloway), without notice, moved - That the Standing Orders be so far suspended as to enable Petitions, the Tabling of Papers, Question Time and Matters of Interest to be taken into consideration at fifteen minutes past two o’clock. Question put and passed, without a dissentient voice, there being present an absolute majority of the whole number of Members of the Council.

3. The Minister for Mineral Resources Development, without notice, moved - That the Standing Orders be so far suspended as to enable the Report of the Auditor-General, 2009-2010, to be referred to a Committee of the Whole and for Ministers to be examined on matters contained in the Report for a period of one hour’s duration. Question put and passed, without a dissentient voice, there being present an absolute majority of the whole number of Members of the Council.

The President then left the Chair and the Council resolved itself into a Committee of the Whole for the consideration of the Report.

In the Committee

Report of the Auditor-General, 2009-2010, considered.

The President resumed the Chair and reported accordingly; whereupon the Council adopted such report.

4. Ordered - That Notice of Motion (Private Business) No. 1 be an Order of the Day for Wednesday, 24 November 2010.

5. Ordered - That Notices of Motion (Private Business) No. 3 to No. 8 be Orders of the Day for Wednesday, 24 November 2010.

7. The Hon. D. W. Ridgway, pursuant to notice, moved - That he have leave to introduce a Bill for an Act to amend the Road Traffic Act 1961.
   Question put and passed.
   Bill introduced and read a first time.
   The Hon. D. W. Ridgway then moved - That the Bill be now read a second time.
   On motion of the Hon. J. M. Gazzola, the debate was adjourned until Wednesday, 24 November 2010.

8. The Hon. D. W. Ridgway, pursuant to notice, moved - That he have leave to introduce a Bill for an Act to amend the Local Government Act 1999.
   Question put and passed.
   Bill introduced and read a first time.
   The Hon. D. W. Ridgway then moved - That the Bill be now read a second time.
   On motion of the Hon. J. M. Gazzola, the debate was adjourned until Wednesday, 24 November 2010.

9. The Hon. J.M.A. Lensink, pursuant to notice, moved -
   I. That a Select Committee of the Legislative Council be appointed to inquire and report upon -
      (a) Disability equipment payments made to non-Government organisations raised in the 2009-2010 Auditor-General’s Report;
      (b) The appropriateness of one-off funding commitments for disability services in comparison to increased recurrent expenditure; and
      (c) Any other related matter.
   II. That Standing Order No. 389 be so far suspended as to enable the Chairperson of the Committee to have a deliberative vote only.
   III. That this Council permits the Select Committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the Committee prior to such evidence being presented to the Council.
   IV. That Standing Order No. 396 be suspended to enable strangers to be admitted when the Select Committee is examining witnesses unless the Committee otherwise resolves, but they shall be excluded when the Committee is deliberating.
   On motion of the Hon. J. M. Gazzola, the debate was adjourned until Wednesday, 24 November 2010.

10. The Hon. R. P. Wortley, pursuant to notice, moved - That the Report of the Legislative Review Committee on its Inquiry into Victim Impact Statements be noted.
    On motion of the Hon. T. J. Stephens, the debate was adjourned until Wednesday, 24 November 2010.

11. The Hon. R. P. Wortley, pursuant to notice, moved - That the Report of the Legislative Review Committee on its Inquiry into the Postponement of Regulations from Expiry under the Subordinate Legislation Act 1978, be noted.
    On motion of the Hon. T. J. Stephens, the debate was adjourned until Wednesday, 24 November 2010.

12. The Hon. T. J. Stephens, pursuant to notice, moved -
   I. That a Select Committee of the Legislative Council be appointed to inquire into the Department for Correctional Services and report upon -
      (a) Whether sufficient resources exist for the safe, effective and efficient operation of South Australia’s prison system;
      (b) Claims of bullying and harassment within the Department;
      (c) Claims that correct Departmental practices and procedures are regularly ignored by management;
      (d) Claims of drug use and sales within the prison system;
      (e) Claims of poor occupational health and safety management in prisons; and
      (f) Any other relevant matter.
II. That Standing Order No. 389 be so far suspended as to enable the Chairperson of the Committee to have a deliberative vote only.

III. That this Council permits the Select Committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the Committee prior to such evidence being presented to the Council.

IV. That Standing Order No. 396 be suspended to enable strangers to be admitted when the Select Committee is examining witnesses unless the Committee otherwise resolves, but they shall be excluded when the Committee is deliberating.

On motion of the Hon. J. M. Gazzola, the debate was adjourned until Wednesday, 24 November 2010.

13. At two minutes to one o’clock the sitting was suspended until the ringing of the bells. At fifteen minutes past two o’clock the sitting was resumed.

14. The following Papers were laid upon the Table, viz.:
   - By the President -
     City of West Torrens - Report, 2009-2010.
   - By the Minister for State/Local Government Relations (The Hon. G. E. Gago) -
     Reports, 2009-2010 -
     Native Vegetation Council.
     Pastoral Board of South Australia.
     Social Development Committee Inquiry into Dental Services for Older South Australians
     Response by the Minister for Health.


16. The Hon. R. P. Wortley brought up the Fourteenth Report, 2010, of the Legislative Review Committee which was read by the Clerk as follows -
   - The By-law listed hereunder is at present being considered by the Legislative Review Committee. Evidence is being taken on this matter and it is necessary for a Notice of Motion for Disallowance to be given in both Houses before the expiration of 14 sitting days, to allow the Committee time to complete its deliberations.
   - Honourable Members are warned that after further consideration has been given to the By-law the Committee may decide to take no further action.
   - By-law referred to - City of Victor Harbor - By-law No. 2 - Moveable Signs.

17. The Hon. R. P. Wortley brought up the Reports of the Natural Resources Committee on Natural Resources Management Board Levy Proposals, 2010-2011, on -
   - Adelaide and Mount Lofty Ranges.
   - Eyre Peninsula.
   - Kangaroo Island.
   - Northern and Yorke.
   - South Australian Arid Lands.
   - South Australian Murray Darling Basin.
   - South East.

18. The Minister for State/Local Government Relations by leave, tabled a copy of a Ministerial Statement made by the Minister for Health (The Hon. J. D. Hill, M.P.) concerning a Repatriation General Hospital Incident.

19. In accordance with Standing Orders, the President called on Members to make Statements on Matters of Interest.
20. The Hon. A. M. Bressington, pursuant to notice, moved - That she have leave to introduce a Bill for an Act to provide for the establishment of a Criminal Cases Review Commission and for the reference of matters by that Commission to appellate courts; to make related amendments to the Bail Act 1985 and the Criminal Law Consolidation Act 1935; and for other purposes.

Question put and passed.
Bill introduced and read a first time.
The Hon. A. M. Bressington then moved - That the Bill be now read a second time.
On motion of the Hon. R. P. Wortley, the debate was adjourned until Wednesday, 24 November 2010.

21. The Hon. A. M. Bressington, pursuant to notice, moved - That she have leave to introduce a Bill for an Act to amend the Workers Rehabilitation and Compensation Act 1986.

Question put and passed.
Bill introduced and read a first time.
The Hon. A. M. Bressington then moved - That the Bill be now read a second time.
On motion of the Hon. R. P. Wortley, the debate was adjourned until Wednesday, 24 November 2010.


23. On the Order of the Day being read for the adjourned debate on the motion of The Hon. C. Zollo - That the Report of the Statutory Authorities Review Committee, 2009-2010, be noted:

Debate resumed.
Question put and passed.


25. The Hon. J. A. Darley, pursuant to notice, moved - That the Regulations under the Retail and Commercial Leases Act 1995 concerning Exclusions, made on 26 August 2010 and laid on the Table of this Council on 14 September 2010, be disallowed.

On motion of the Hon. J. M. Gazzola, the debate was adjourned until Wednesday, 24 November 2010.


27. On the Order of the Day being read for the adjourned debate on the motion of the Hon. R. I. Lucas - That the General Regulations made under the Workers Rehabilitation and Compensation Act 1986 concerning Revocation of Regulations, made on 24 June 2010 and laid on the Table of this Council on 29 June 2010, be disallowed:

Debate resumed.

Ordered - That the Order of the Day be discharged.


29. On the Order of the Day being read for the adjourned debate on the question - That the Consent to Medical Treatment and Palliative Care (End of Life Arrangements) Amendment Bill be now read a second time:

Debate resumed.
On motion of the Hon. I. K. Hunter, the debate was adjourned until Wednesday, 24 November 2010.

31. Ordered - That Order of the Day (Private Business) No. 18 be postponed and taken into consideration on motion.


33. On the Order of the Day being read for the adjourned debate on the motion of the Hon. A. M. Bressington - That this Council urges the Minister for Health, The Hon. J. D. Hill, M.P., and the Principal Water Quality Adviser for the Department for Health, Dr. David Cunliffe, to attend the public meeting being held in Mount Gambier on 9 October 2010 on the issue of water fluoridation:
   Debate resumed.
   The Hon. R. P. Wortley moved to amend the motion by leaving out all words after “That this Council” and inserting the following: “notes the public meeting held at Mount Gambier on 9 October 2010 on the issue of water fluoridation and endorses the continuing process of fluoridation across country South Australia”.
   On motion of the Hon. I. K. Hunter, the debate was adjourned and ordered to be resumed on motion.

34. At three minutes past six o’clock the sitting was suspended until the ringing of the bells.
   At fifteen minutes to eight o’clock the sitting was resumed.

35. Ordered - That the adjourned debate on the motion of the Hon. A. M. Bressington - That this Council urges the Minister for Health, The Hon. J. D. Hill, M.P., and the Principal Water Quality Adviser for the Department for Health, Dr. David Cunliffe, to attend the public meeting being held in Mount Gambier on 9 October 2010 on the issue of water fluoridation.
   Which the Hon. R. P. Wortley had moved to amend by leaving out all words after “That this Council” and inserting the following: “notes the public meeting held at Mount Gambier on 9 October 2010 on the issue of water fluoridation and endorses the continuing process of fluoridation across country South Australia” - be resumed.
   Ordered - That the Order of the Day be discharged.


37. On the Order of the Day being read for the adjourned debate on the motion of the Hon. T. A. Franks -
   I. That this Council notes -
      (a) the fine work of OzHarvest, a non-denominational charity that rescues excess food which would otherwise be discarded and distributes this excess food to charities supporting the vulnerable;
      (b) that OzHarvest was founded in Sydney in 2004 and has now expanded to Canberra, Newcastle and, as of today, Adelaide, where this exciting philanthropic initiative boasts Maggie Beer as its ambassador and a partnership with UnitingCare Wesley, Port Adelaide;
      (c) that since its inception, OzHarvest has rescued more than 5.4 million meals and saved hundreds of thousands of tonnes of waste from going to landfill; and
   II. That this Council calls on the Minister for Families and Communities to take a leadership role in supporting this exciting new venture by advocating across State Government agencies that undertake catering activities and/or contracts to commit to participating in OzHarvest as a donor agency:
   Debate resumed.
   Question put and passed.

39. On the Order of the Day being read for the adjourned debate on the motion of the Hon. T. A. Franks -

I. That this Council notes -

(a) that the South Australian Non-Government Organisation Community Sector relies heavily on State Government funding for delivery of services and payments of wages to workers in the industry and that this emotionally taxing labour which is most often performed by women workers is critical to the fabric of our community and to a broader goal of women’s pay equity in Australia;

(b) that the significant value of this labour is not always reflected in the pay those in the community sector receive and that consequently community sector workers’ unions lodged an equal remuneration order with the regulator in March this year and that Fair Work Australia will hold hearings into that pay claim later this year;

(c) that a similar pay equity case conducted in Queensland in 2008 resulted in pay increases of up to 37% for workers in this same sector; and

(d) that as of 18 June 2010 the Victorian Government has agreed to back higher rates of pay for community sector workers in a deal where that Government would underwrite salary parity for the community sector.

II. That this Council calls on the Treasurer and the Minister for Families and Communities to fund the community services sector sufficiently to address this pay inequity still endured by South Australian community sector employees regardless of the outcome of the Fair Work Australia case so that South Australia can join Queensland and Victoria in fully recognising the valuable work of the Non-Government Organisation community sector:

Debate resumed.

On motion of the Hon. B. V. Finnigan, the debate was adjourned until Wednesday, 24 November 2010.


41. The Minister for Mineral Resources Development, pursuant to notice, moved - That he have leave to introduce a Bill for an Act to amend the Criminal Law (Sentencing) Act 1988. Question put and passed.

The Minister for Mineral Resources Development then moved - That the Bill be now read a second time.

On motion of the Hon. J.M.A. Lensink, the debate was adjourned until next day of sitting.

42. The Minister for State/Local Government Relations, pursuant to notice, moved - That she have leave to introduce a Bill for an Act to make provision for a national law to regulate the licensing of certain occupations; and for other purposes.

Question put and passed.

The Minister for State/Local Government Relations then moved - That the Bill be now read a second time.

On motion of the Hon. D. W. Ridgway, the debate was adjourned until next day of sitting.

43. Ordered - That all remaining Orders of the Day (Government Business) be Orders of the Day for next day of sitting.

44. The Council, according to order, resolved itself into a Committee of the Whole for the consideration of the Development (Advisory Committee Advice) Amendment Bill.

In the Committee

Clauses No. 1 and No. 2 agreed to.

Clause No. 3 read.
The Hon. D. W. Ridgway moved on page 2, after line 9, to insert the following:

“(1) Section 25—after subsection (11) insert:

(11a) When a meeting is held under subsection (11)(b), the person presiding at the meeting must ensure, insofar as is reasonably practicable, that the order of persons making representations reasonably reflects the relative degrees of interest of the persons attending the meeting, with the person or persons with the most significant personal interest in the matter (and most directly affected by the proposal) being given the opportunity to speak first and the person or persons with the least significant personal interest, or with any other interest (whether direct or indirect), speaking last (although a failure to achieve compliance with this subsection will not affect the validity of the meeting).”.

To report progress and ask leave to sit again.

The President resumed the Chair and reported progress and obtained for the Committee leave to sit again on Wednesday, 24 November 2010.

45. The following Messages from the House of Assembly were received and read:

Message No. 46

MR. PRESIDENT - The House of Assembly has agreed to the amendments made by the Legislative Council in the Statutes Amendment (Budget 2010) Bill, without amendment.

House of Assembly, 10 November 2010.

L. R. BREUER, Speaker.

Message No. 47

MR. PRESIDENT - The House of Assembly has passed the Bill transmitted herewith entitled an Act to establish a national energy customer framework for the regulation of the retail supply of energy to customers; to make provision for the relationship between the distributors of energy and the consumers of energy; and for other purposes, to which it desires the concurrence of the Legislative Council.

House of Assembly, 10 November 2010.

L. R. BREUER, Speaker.

The Minister for Mineral Resources Development then moved - That the Bill be now read a second time.

On motion of the Hon. D. W. Ridgway, the debate was adjourned until next day of sitting.

Message No. 48

MR. PRESIDENT - The House of Assembly has passed the Bill transmitted herewith entitled an Act to amend the Australian Energy Market Commission Establishment Act 2004, the National Electricity (South Australia) Act 1996 and the National Gas (South Australia) Act 2008, to which it desires the concurrence of the Legislative Council.

House of Assembly, 10 November 2010.

L. R. BREUER, Speaker.

The Minister for Mineral Resources Development then moved - That the Bill be now read a second time.

On motion of the Hon. D. W. Ridgway, the debate was adjourned until next day of sitting.

Message No. 49

MR. PRESIDENT - The House of Assembly has passed the Bill transmitted herewith entitled an Act to amend the Casino Act 1997; the Firearms Act 1977; the Gaming Machines Act 1992; the Liquor Licensing Act 1997; the Security and Investigation Agents Act 1995; and the Summary Offences Act 1953, to which it desires the concurrence of the Legislative Council.

House of Assembly, 10 November 2010.

L. R. BREUER, Speaker.

The Minister for Mineral Resources Development then moved - That the Bill be now read a second time.

On motion of the Hon. D. W. Ridgway, the debate was adjourned until next day of sitting.

46. Council adjourned at twenty minutes to ten o’clock until tomorrow at fifteen minutes past two o’clock.
Members present during any part of the sitting:

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<td>The Hon. R. L. Brokenshire</td>
<td>The Hon. P. Holloway</td>
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<td>The Hon. J. A. Darley</td>
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<td>The Hon. G. E. Gago</td>
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NOTICES AND ORDERS OF THE DAY

THURSDAY 11 NOVEMBER 2010

Orders of the Day: Government Business -

1. Adjourned debate on motion of the Minister for Mineral Resources Development - That, during the present Session and unless otherwise ordered, if the Council has not adjourned at 10.00 p.m. on Tuesdays and Wednesdays, a Minister shall move the motion “That the Council do now adjourn” - To which the Hon. M. C. Parnell has moved to add the following words - "If the Council is adjourned on a Wednesday before Private Members’ Business is concluded, any outstanding Private Members’ Business shall take precedence over Government Business on a Thursday”.

Question - That the amendment be agreed to - (May 12, June 24, September 28, November 9) - (The Hon. I. K. Hunter).


*4. Gaming Machines (Miscellaneous) Amendment Bill (No. 37): adjourned debate on second reading - (September 14, 28, October 26, 29, November 9) - (The Hon. R. I. Lucas).

*5. Marine Parks (Parliamentary Scrutiny) Amendment Bill (No. 50): adjourned debate on second reading - (October 26, November 9) - (The Hon. I. Hunter).


*7. Road Traffic (Use of Test and Analysis Results) Amendment Bill (No. 52): adjourned debate on second reading - (October 28) - (The Hon. D. W. Ridgway).


*Received from House of Assembly.
TUESDAY 23 NOVEMBER 2010

Notice of Motion: Government Business -

1. The Minister for State/Local Government Relations to move - That this Council requests His Excellency the Governor to make a proclamation under section 34A(2) of the National Parks and Wildlife Act 1972 excluding the following land from the Innamincka Regional Reserve: Sections 791, 1081-1084, Out of Hundreds (Innamincka); Allotments 41, 44, 48, 63-72, 77-82, 84-100, 115-118, 127-132, 135, 136, 151-164, 168-175, 179-186, 188-194, 196, 198-201, Township of Innamincka, Out of Hundreds (Innamincka); Allotments 51 and 52, Deposited Plan 84007, Out of Hundreds (Innamincka); Allotment 54, Deposited Plan 84009, Out of Hundreds (Innamincka).

WEDNESDAY 24 NOVEMBER 2010

Notices of Motion: Private Business -

1. The Hon. D. W. Ridgway to move - That he have leave to introduce a Bill for an Act to amend the Development Act 1993.

2. The Hon. R. P. Wortley to move - That the District Council of Victor Harbor By-law No. 2 concerning Moveable Signs, made on 20 September 2010 and laid on the Table of this Council on 14 October 2010, be disallowed.

3. The Hon. R. P. Wortley to move - That the Reports of the Natural Resources Committee on Natural Resources Management Board Levy Proposals, 2010-2011, on Adelaide and Mount Lofty Ranges, Eyre Peninsula, Kangaroo Island, Northern and Yorke, South Australian Arid Lands, South Australian Murray Darling Basin and South East, be noted.

Orders of the Day: Private Business -

1. The Hon. R. P. Wortley to move - That the General Regulations under the South Australian Housing Trust Act 1995, made on 29 July 2010 and laid on the Table of this Council on 14 September 2010, be disallowed.

2. The Hon. R. P. Wortley to move - That By-law No. 3 of the District Council of Kangaroo Island concerning Local Government Land, made on 13 August 2010 and laid on the Table of this Council on 14 September 2010, be disallowed.

3. The Hon. R. P. Wortley to move - That By-law No. 5 of the District Council of Kangaroo Island concerning Dogs, made on 13 August 2010 and laid on the Table of this Council on 14 September 2010, be disallowed.

4. The Hon. R. P. Wortley to move - That By-law No. 6 of the District Council of Kangaroo Island concerning Cats, made on 13 August 2010 and laid on the Table of this Council on 14 September 2010, be disallowed.

5. The Hon. R. P. Wortley to move - That By-law No. 8 of the District Council of Kangaroo Island concerning Boat Facilities, made on 13 August 2010 and laid on the Table of this Council on 14 September 2010, be disallowed.

6. The Hon. R. P. Wortley to move - That By-law No. 9 of the District Council of Kangaroo Island concerning Foreshores, made on 13 August 2010 and laid on the Table of this Council on 14 September 2010, be disallowed.
7. The Hon. R. P. Wortley to move - That the By-law under the Ngangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981 concerning Permits, made on 2 September 2010 and laid on the Table of this Council on 14 September 2010, be disallowed.

8. The Hon. S. G. Wade to move - That the By-law under the Ngangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981 concerning Permits, made on 2 September 2010 and laid on the Table of this Council on 14 September 2010, be disallowed.

9. Road Traffic (Owner Offences) Amendment Bill (No. 57): adjourned debate on second reading - (November 10) - (The Hon. J. M. Gazzola)\(^\text{10}\).

10. Local Government (Miscellaneous) Amendment Bill (No. 58): adjourned debate on second reading - (November 10) - (The Hon. J. M. Gazzola)\(^\text{10}\).

11. Adjourned debate on motion of the Hon. J.M.A. Lensink -
   I. That a Select Committee of the Legislative Council be appointed to inquire and report upon -
   (a) Disability equipment payments made to non-Government organisations raised in the 2009-2010 Auditor-General’s Report;
   (b) The appropriateness of one-off funding commitments for disability services in comparison to increased recurrent expenditure; and
   (c) Any other related matter.
   II. That Standing Order No. 389 be so far suspended as to enable the Chairperson of the Committee to have a deliberative vote only.
   III. That this Council permits the Select Committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the Committee prior to such evidence being presented to the Council.
   IV. That Standing Order No. 396 be suspended to enable strangers to be admitted when the Select Committee is examining witnesses unless the Committee otherwise resolves, but they shall be excluded when the Committee is deliberating - (November 10) - (The Hon. J. M. Gazzola).


14. Adjourned debate on motion of the Hon. T. J. Stephens -
   I. That a Select Committee of the Legislative Council be appointed to inquire into the Department for Correctional Services and report upon -
   (a) Whether sufficient resources exist for the safe, effective and efficient operation of South Australia’s prison system;
   (b) Claims of bullying and harassment within the Department;
   (c) Claims that correct Departmental practices and procedures are regularly ignored by management;
   (d) Claims of drug use and sales within the prison system;
   (e) Claims of poor occupational health and safety management in prisons; and
   (f) Any other relevant matter.
   II. That Standing Order No. 389 be so far suspended as to enable the Chairperson of the Committee to have a deliberative vote only.
   III. That this Council permits the Select Committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the Committee prior to such evidence being presented to the Council.
   IV. That Standing Order No. 396 be suspended to enable strangers to be admitted when the Select Committee is examining witnesses unless the Committee otherwise resolves, but they shall be excluded when the Committee is deliberating - (November 10) - (The Hon. J. M. Gazzola).


17. The Hon. R. L. Brokenshire to move - That the Statutory Authorities Review Committee inquire into and report on the effectiveness of the Office of the Health and Community Services Complaints Commissioner having regard to -
   I. Any concerns that members of the public or the Committee have regarding the Office’s responsiveness to complaints to the Office;  
   II. Any proven outcomes since the creation of the Office;  
   III. The adequacy of reporting by the Office;  
   IV. The adequacy in quantity and quality of reports produced by the Office pursuant to section 54 of the Health and Community Services Complaints Act 2004;  
   V. Examples of use of the Office’s discretionary powers under the said Act;  
   VI. The staffing levels in the Office and the efficiency and effectiveness of resource use by the Office;  
   VII. The number of complaints processed by the Office in comparison to - (a) the Ombudsman’s Office prior to the formation of the Office; and; (b) comparable offices interstate;  
   VIII. The extent to which the State Government has contributed by acts or omissions to any shortcomings identified in the foregoing including by virtue of failures to meet its obligations under sections 19(2) and 67 of the said Act;  
   IX. Whether persons appointed to the Health and Community Services Advisory Council properly represent the intent of the said Act;  
   X. Whether the term of office for the Commissioner is appropriate in the circumstances;  
   XI. Whether any amendments to the Act are necessary to improve the effectiveness of the Office; and  
   XII. Any other relevant matter.

18. The Hon. R. L. Brokenshire to move -
   I. That a Select Committee of the Legislative Council be appointed to inquire into and report upon - (a) The history of the Parks Community Centre, its reception and service delivery in the community; and (b) The current State Government plans concerning the said Centre; and (c) Alternative policy initiatives that may be taken in relation to the said Centre; and (d) Any other relevant matter.
   II. That Standing Order No. 389 be so far suspended as to enable the Chairperson of the Committee to have a deliberative vote only.
   III. That this Council permits the Select Committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the Committee prior to such evidence being presented to the Council.
   IV. That Standing Order No. 396 be suspended to enable strangers to be admitted when the Select Committee is examining witnesses unless the Committee otherwise resolves, but they shall be excluded when the Committee is deliberating.

19. Consent to Medical Treatment and Palliative Care (Termination of Pregnancy) Amendment Bill (No. 53): adjourned debate on second reading - (October 27) - (The Hon. I. K. Hunter).

20. Adjournered debate on motion of the Hon. A. M. Bressington - That this Council recognises the research and treatment delivered by Dr. A. K. Susheela, Ph.D., in the area of fluoride toxicity and fluorosis and urges the Minister to facilitate Dr. Susheela coming to Adelaide for a seminar to train medical practitioners, gynaecologists and obstetricians in the early detection of fluoride poisoning - (October 27) - (The Hon. R. P. Wortley).

21. Parks Community Centre (Preservation of Land and Services) Bill (No. 54): adjourned debate on second reading - (October 27) - (The Hon. J. M. Gazzola).
22. Development (Crown Development) Amendment Bill (No. 56): adjourned debate on second reading - (October 27) - (The Hon. J. M. Gazzola)\(^7\).

23. Adjourned debate on motion of the Hon. M. C. Parnell - That the Miscellaneous Regulations under the Development Act 1993, made on 16 September 2010 and laid on the Table of this Council of Tuesday, 28 September 2010, be disallowed - (October 27) - (The Hon. J. M. Gazzola).

24. Adjourned debate on motion of the Hon. T. A. Franks -
   
   I. That a Select Committee of the Legislative Council be appointed to inquire into and report upon the Lonsdale-based Adelaide Desalination Plant project including the following matters -
      
      (a) The management and administration of the project;
      (b) The procedures and practices with regard to workplace safety;
      (c) The related matters of worker deaths and injuries; and
      (d) Any other relevant matter.

   II. That Standing Order No. 389 be so far suspended as to enable the Chairperson of the Committee to have a deliberative vote only.

   III. That this Council permits the Select Committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the Committee prior to such evidence being presented to the Council.

   IV. That Standing Order No. 396 be suspended to enable strangers to be admitted when the Select Committee is examining witnesses unless the Committee otherwise resolves, but they shall be excluded when the Committee is deliberating - (October 27) - (The Hon. J. M. Gazzola).


27. Adjourned debate on motion of the Hon. M. C. Parnell -
   
   I. That a Select Committee of the Legislative Council be established to inquire and report on the relationship between industrial and residential land uses on the Le Fevre Peninsula and adjacent areas, with specific reference to -
      
      (a) The risk to health, safety and amenity of existing residents and potential new residents;
      (b) The impact of new residential development on existing and potential future industry;
      (c) The adequacy of existing laws, policies and guidelines;
      (d) The role of the following agencies:
         
         i. Land Management Corporation;
         ii. Environment Protection Authority;
         iii. Port Adelaide Enfield Council;
         iv. Development Assessment Commission;
         v. Development Policy Advisory Committee;
         vi. Other referral bodies under the Development Act; and
         vii. Other relevant agencies; and
      (e) Any other matters that the Committee considers relevant.

   II. That Standing Order No. 389 be so far suspended as to enable the Chairperson of the Committee to have a deliberative vote only.

   III. That this Council permits the Select Committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the Committee prior to such evidence being presented to the Council.

   IV. That Standing Order No. 396 be suspended to enable strangers to be admitted when the Select Committee is examining witnesses unless the Committee otherwise resolves, but they shall be excluded when the Committee is deliberating - (October 27) - (The Hon. J. M. Gazzola).
28. The Hon. R. L. Brokenshire to move - That he have leave to introduce a Bill for an Act to amend the Health Care Act 2008.

29. Consent to Medical Treatment and Palliative Care (End of Life Arrangements) Amendment Bill (No. 42): adjourned debate on second reading - (September 29, November 10) - (The Hon. I. K. Hunter).

30. Controlled Substances (Simple Cannabis Offences) Amendment Bill (No. 43): adjourned debate on second reading - (September 29) - (The Hon. B. V. Finnigan).


32. Development (Advisory Committee Advice) Amendment Bill (No. 45): in Committee - clause 3 - (November 10).

33. Children’s Protection (Reporting of Suspected Criminal Offence) Amendment Bill (No. 46): adjourned debate on second reading - (September 29) - (The Hon. B. V. Finnigan).

34. The Hon. R. P. Wortley to move - That the Corporation of Port Augusta By-law No. 2 concerning Moveable Signs, made on 22 February 2010 and laid on the Table of this Council on 11 May 2010, be disallowed.


37. Adjourned debate on motion of the Hon. M. C. Parnell - That this Council -
   I. Notes the recent agreements signed between the Australian Greens and the Australian Labor Party, and between the Australian Labor Party and the Independent Federal Members (Mr. Tony Windsor and Mr. Rob Oakeshott), in particular, the focus in both documents on improving the processes and integrity of Parliament; and
   II. Requests the Standing Orders Committee to consider amendments involving the following, viz:
      (a) at the beginning of each sitting day, prior to prayers, the President to make an acknowledgement of country;
      (b) questions during Question Time be limited to forty-five seconds and answers to four minutes;
      (c) answers must be “directly relevant to the question”, with the President to lead on enforcement of the relevance test; and
      (d) the preference in Question Time for both questioners and Ministers to endeavour not to use notes - (September 15) - (The Hon. I. K. Hunter).

38. Consent to Medical Treatment and Palliative Care (Parental Consent) Amendment Bill (No. 39): adjourned debate on second reading - (September 15) - (The Hon. R. P. Wortley).

39. Adjourned debate on motion of the Hon. R. I. Lucas - That this Council notes possible changes to the Standing Orders of the Legislative Council and procedure governing the efficient operation of the Legislative Council - (September 15) - (The Hon. R. I. Lucas).

40. Adjourned debate on motion of the Hon. R. I. Lucas - That this Council notes -
   I. statements made by the Treasurer and Premier before the election about the state of the budget; and
   II. with concern recent information about the state of the budget and the Rann Government’s management of the State’s finances - (July 21) - (The Hon. R. I. Lucas).
41. Native Vegetation (Application of Act) Amendment Bill (No. 29): adjourned debate on second reading - (July 21) - (The Hon. J. M. Gazzola)².

42. Electricity (Renewable Energy) Amendment Bill (No. 30): adjourned debate on second reading - (July 21) - (The Hon. J. M. Gazzola)².

43. Children’s Protection (Grandparents and Family Care) Amendment Bill (No. 31): adjourned debate on second reading - (July 21) - (The Hon. D. W. Ridgway)².

44. Disability (Mandatory Reporting) Bill (No. 32): adjourned debate on second reading - (July 21, October 27) - (The Hon. B. V. Finnigan)³.

45. Electoral (Voting Age) Amendment Bill (No. 33): adjourned debate on second reading - (July 21) - (The Hon. C. Zollo)⁶.

46. Stolen Generations Reparations Tribunal Bill (No. 34): adjourned debate on second reading - (July 21) - (The Hon. B. V. Finnigan)⁶.

47. Criminal Law (Sentencing) (Mandatory Imprisonment of Child Sex Offenders) Amendment Bill (No. 23): adjourned debate on second reading - (June 30) - (The Hon. J. M. Gazzola)⁴.

48. Adjourned debate on motion of the Hon. T. A. Franks -
   I. That this Council notes -
   (a) that the South Australian Non-Government Organisation Community Sector relies heavily on State Government funding for delivery of services and payments of wages to workers in the industry and that this emotionally taxing labour which is most often performed by women workers is critical to the fabric of our community and to a broader goal of women’s pay equity in Australia;
   (b) that the significant value of this labour is not always reflected in the pay those in the community sector receive and that consequently community sector workers’ unions lodged an equal remuneration order with the regulator in March this year and that Fair Work Australia will hold hearings into that pay claim later this year;
   (c) that a similar pay equity case conducted in Queensland in 2008 resulted in pay increases of up to 37% for workers in this same sector; and
   (d) that as of 18 June 2010 the Victorian Government has agreed to back higher rates of pay for community sector workers in a deal where that Government would underwrite salary parity for the community sector.
   II. That this Council calls on the Treasurer and the Minister for Families and Communities to fund the community services sector sufficiently to address this pay inequity still endured by South Australian community sector employees regardless of the outcome of the Fair Work Australia case so that South Australia can join Queensland and Victoria in fully recognising the valuable work of the Non-Government Organisation community sector - (June 23, November 10) - (The Hon. B. V. Finnigan).

49. Family Relationships (Parentage) Amendment Bill (No. 18): adjourned debate on second reading - (June 23, 30) - (The Hon. J.S.L. Dawkins)⁶.

50. Adjourned debate on motion of the Hon. A. M. Bressington - That this Council -
   I. Calls on the Minister for Industrial Relations to initiate an inquiry into -
   (a) The improper use of interstate Independent Medical Examiners, including allegations of -
      i. the use of interstate Independent Medical Examiners in preference to South Australian medical practitioners who are suitably qualified and available;
      ii. interstate Independent Medical Examiners being engaged by claims managers because they are likely to provide a report more favourable to the claims manager’s interests; and
      iii. interstate Independent Medical Examiners engaging in unorthodox practices designed to intimidate injured workers;
(b) The allegation that Employers Mutual Limited case managers are intentionally deterring South Australian medical practitioners from working as Independent Medical Examiners by, amongst other things, paying them less than that paid to interstate Independent Medical Examiners and by delaying payment for work completed;

(c) The allegations that Employers Mutual Limited and other claims managers are “doctor shopping” by engaging multiple Independent Medical Examiners until a report considered favourable is received;

(d) The number of independent medical examinations conducted by interstate Independent Medical Examiners each year over the last four years; and

(e) The number of independent medical examinations conducted and how many injured workers have been required by their case managers to have an assessment by an Independent Medical Examiner each year over the last four years.

II. Requests the Minister to table the report on the findings of the inquiry.

To which the Hon. R. I. Lucas moved to amend in paragraph I(a) by leaving out the word “improper”.

**Question** - That the word proposed to be struck out, stand - (June 23, September 15, October 27) - (The Hon. I. K. Hunter).

51. Adjourned debate on motion of the Hon. M. C. Parnell - That this Council -

I. Notes the convergence of over 700 farmers, academics, Government officials, health and community workers, environmentalists, educators and others held at the University of South Australia in February 2010 under the banner “From Plains to Plate: the Future of Food in South Australia”;

II. Notes the release of a Food Convergence Declaration summarising the discussions and ideas that emerged from this gathering;

III. Notes in particular the focus in the Declaration on the importance of zoning land to ensure food security and the need for food security and sustainability to be explicitly acknowledged as central Government policy priority; and

IV. Calls on the South Australian Government to work with the community to develop a shared vision for the future of food in South Australia and to adopt the recommendations included in the Declaration - (June 23) - (The Hon. I. K. Hunter).


54. Independent Commission Against Corruption Bill (No. 4): in Committee.

55. The Hon. R. L. Brokenshire to move - That he have leave to introduce a Bill for an Act to amend the Electoral Act 1985.

56. Independent Commission Against Corruption Bill (No. 5): adjourned debate on second reading - (May 12) - (The Hon. T. J. Stephens).

57. Subordinate Legislation (Miscellaneous) Amendment Bill (No. 6): adjourned debate on second reading - (May 12) - (The Hon. T. J. Stephens).

58. Willunga Basin Protection Bill (No. 7): adjourned debate on second reading - (May 12) - (The Hon. T. J. Stephens).

59. Environment Protection (Right to Farm) Amendment Bill (No. 8): adjourned debate on second reading - (May 12) - (The Hon. T. J. Stephens).

60. The Hon. R. L. Brokenshire to move - That he have leave to introduce a Bill for an Act to amend the Constitution Act 1934.
61. Electoral (Voting) Amendment Bill (No. 14): adjourned debate on second reading - (May 26) - (The Hon. J. M. Gazzola)\(^7\).

62. Adjourned debate on motion of the Hon. M. C. Parnell - That this Council -
   I. Notes the decision of the Supreme Court on 9 April 2010 in the matter of White and Others against the State of South Australia.
   II. Notes with alarm the misguided intervention of two Government Ministers in the case, namely the Treasurer (The Hon. K. O. Foley) and the Minister for Police (The Hon. M. J. Wright).
   III. Notes the remarks of His Honour Justice Anderson that the comments of the Ministers were unfounded, unreasonable, antagonistic, unjustified and offensive and that His Honour increased the award of damages to the Plaintiffs by $135,000 as a direct consequence of the Ministers’ behaviour.
   IV. Calls on the Treasurer and the Minister for Police to apologise to the South Australian people for the impact their comments have had on the finances of the State - (May 12, 26) - (The Hon. B. V. Finnigan).

Contingent Notices of Motion -

1. Contingently, on the second reading of any Bill being moved, or on any Bill being reported, the Minister for Mineral Resources Development to move - That the Standing Orders be so far suspended as to enable the Bill to pass through the remaining stages without delay.

2. Contingently, on the Gaming Machines (Miscellaneous) Amendment Bill being reading a second time, The Hon. J. A. Darley to move - That it be an Instruction to the Committee of the whole Council on the Bill that it have power to consider new clauses in relation to the Prohibition of Replica Gaming Machines and the Prohibition of Gaming Machines Precursors in Licensed Premises and to amend the Long Title.

J. M. DAVIS,
Clerk of the Legislative Council.