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


3. The following Papers were laid upon the Table, viz.:
   By the Minister for Gambling (The Hon. G. E. Gago) -
   Codes of Practice Under Acts - Gaming Machines -
   Expiations - Notice No. 3.
   Social Effect Inquiry Process and Principles - Notice No. 4.

4. In accordance with Standing Orders, the President called on Members to make Statements on Matters of Interest.

5. The Hon. S. G. Wade, pursuant to notice, moved - That the Interim Report of the Select Committee on Matters Related to the General Election of 20 March 2010, be noted.
   On motion of the Hon. J. M. Gazzola, the debate was adjourned until Wednesday, 8 June 2011.

6. The Hon. M. C. Parnell, pursuant to notice, moved - That this Council notes -
   I. The escalating use of Private Finance Initiatives, including private-public partnerships, to fund major new public capital investment, including school upgrades, the Port Stanvac desalination plant and the new Royal Adelaide Hospital;
   II. The privatisation of public assets in the State’s South East through the forward sale of timber harvesting; and
   III. That this privatisation by stealth is in clear breach of the “no privatisation” rhetoric of the Premier and other Members of his Government;
   and calls on the Government to initiate an independent review to compare the financial performance of Private Finance Initiatives with alternative public infrastructure financing methods.
   On motion of the Hon. I. K. Hunter, the debate was adjourned until Wednesday, 8 June 2011.
7. The Hon. I. K. Hunter, pursuant to notice, moved - That the Report of the Social Development Committee on its inquiry into Same-Sex Parenting, be noted.

On motion of the Hon. J. M. Gazzola, the debate was adjourned until Wednesday, 8 June 2011.

8. The Hon. A. M. Bressington, pursuant to notice, moved - That the Legislative Council condemns the slur against the then Burnside City Councillor, Mr. Robert Gilbert, by the Member for Newland in the House of Assembly on 14 October 2010, and calls on the Member for Newland to correct the record through an apology.

On motion of the Hon. T. J. Stephens, the debate was adjourned until Wednesday, 8 June 2011.

9. The Hon. M. C. Parnell, pursuant to notice, moved - That this Council calls on the State Government to -

I. Responsibly plan for a future time when our State’s non-renewable mineral resources run out; and

II. Investigate models for the creation of a Sovereign Wealth Fund to ensure our long term prosperity.

On motion of the Hon. T. J. Stephens, the debate was adjourned until Wednesday, 8 June 2011.

10. The Hon. M. C. Parnell, pursuant to notice, moved - That this Council -

I. Notes that it has been almost 40 months since the initial discovery of illegal waste disposal and vandalism by Marathon Resources in the Arkaroola Wilderness Sanctuary; and

II. Calls for the State Government to urgently guarantee permanent protection for the iconic and majestic mountains of Arkaroola.

On motion of the Hon. I. K. Hunter, the debate was adjourned until Wednesday, 8 June 2011.

11. Ordered - That Orders of the Day (Private Business) No. 1 to No. 3 be Orders of the Day for Wednesday, 8 June 2011.

12. On the Order of the Day being read for the adjourned debate on the motion of the Hon. I. K. Hunter -

That this Council congratulates Amnesty International on its 50th Anniversary which will be celebrated on 28 May 2011:

Debate resumed.

On motion of the Hon. T. J. Stephens, the debate was adjourned until Wednesday, 8 June 2011.


14. On the Order of the Day being read for the adjourned debate on the motion of the Hon. D.G.E. Hood -

I. That a Select Committee of the Legislative Council be appointed to enquire into and report upon marine parks in South Australia and, in particular -

(a) claims by Professor Bob Kearney that the evidence used by the Government in support of marine parks reflected a “biased misuse of the available science”;

(b) detrimental effects to recreational fishers and the commercial fishing industry through the imposition of marine parks;

(c) detrimental effects to property values through the imposition of marine parks;

(d) complaints by local communities and fishing groups regarding the consultation process associated with the implementation of marine parks;

(e) interstate and international moves to limit the extent of sanctuary zones; and

(f) the correct balance of general marine park areas to no-take sanctuary zone areas.

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:

Debate resumed.

The Hon. T. J. Stephens moved to amend the motion by leaving out paragraph I(a) and inserting new paragraph I(a) as follows:

“I. (a) what scientific evidence is available to guide the design and management of marine parks;”

and after paragraph I(f) by inserting new paragraph I(g) as follows:

“I. (g) how the management of marine parks will be funded;”

And the Hon. P. Holloway having obtained leave to conclude his remarks, the debate was adjourned and ordered to be resumed on motion.

15. At two 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.

16. Ordered - That the adjourned debate on the motion of the Hon. D.G.E. Hood -

I. That a Select Committee of the Legislative Council be appointed to enquire into and report upon marine parks in South Australia and, in particular -

(a) claims by Professor Bob Kearney that the evidence used by the Government in support of marine parks reflected a “biased misuse of the available science”;
(b) detrimental effects to recreational fishers and the commercial fishing industry through the imposition of marine parks;
(c) detrimental effects to property values through the imposition of marine parks;
(d) complaints by local communities and fishing groups regarding the consultation process associated with the implementation of marine parks;
(e) interstate and international moves to limit the extent of sanctuary zones; and
(f) the correct balance of general marine park areas to no-take sanctuary zone areas.

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:

Which the Hon. T. J. Stephens had moved to amend by leaving out paragraph I(a) and inserting new paragraph I(a) as follows:

“I. (a) what scientific evidence is available to guide the design and management of marine parks;”

and after paragraph I(f) by inserting new paragraph I(g) as follows:

“I. (g) how the management of marine parks will be funded;”

- be resumed.

Debate resumed.

Question - That the amendments moved by the Hon. T. J. Stephens be agreed to - put and passed.

T. J. Stephens be agreed to - put and passed.

The Hon. D.G.E. Hood then moved - That the Select Committee consist of the Hon. P. Holloway, the Hon. J.M.A. Lensink, the Hon. T. J. Stephens, The Hon. C. Zollo and the mover.

Question put and passed.

The Hon. D.G.E. Hood moved - That the Select Committee have power to send for persons, papers and records, to adjourn from place to place and report on Wednesday, 27 July 2011.

Question put and passed.

17. Ordered - That Orders of the Day (Private Business) No. 7 to No. 10 be Orders of the Day for Wednesday, 8 June 2011.
18. On the Order of the Day being read for the adjourned debate on the motion of the Hon. S. G. Wade - That this Council notes the centenary of the passage of the Female Practitioners Act 1911, the contribution of female practitioners in the 100 years since and the ongoing contribution of women to the State through the legal profession:

Debate resumed.

The Hon. C. Zollo moved to amend the motion by leaving out all words after “centenary” and inserting the following: “of International Women’s Day and the passage of the Female Practitioners Act 1911. This Council also notes the contribution of female practitioners in the 100 years since and the ongoing contribution of women to the State through the legal profession.”

On motion of the Hon. I. K. Hunter, the debate was adjourned until Wednesday, 8 June 2011.

Postponement of Business.


Violent Attacks - Motion re.

20. On the Order of the Day being read for the adjourned debate on the motion of the Hon. J.S.L. Dawkins - That this Council -

I. Expresses its concern at the recent number of unprovoked violent attacks in South Australia;

II. Congratulates organisations such as the Sammy D. Foundation for proactively seeking to discourage youth violence by empowering young people to make safe and positive life choices; and

III. Urges the Rann Government to implement a public awareness campaign targeting all forms of youth violence modelled on the One Punch Can Kill or Step Back Think campaigns operating in Queensland and Victoria:

Debate resumed.

Question - That the motion be agreed to - put and passed.

Postponement of Business.


Disability SA Client Trust Account - Motion re.

22. On the Order of the Day being read for the adjourned debate on the motion of the Hon. K L. Vincent - That this Council calls on the Minister for Disability and the Treasurer to rescind the decision to abolish the Disability SA Client Trust Account:

Debate resumed.

Question - That the motion be agreed to - put and passed.

Postponement of Business.


Postponement of Business.


Legislative Review Committee - Report on Inquiry into Postponement of Regulations from Expiry under the Subordinate Legislation Act 1978, be noted - Motion re.

25. On the Order of the Day being read for the adjourned debate on the motion of the Hon. R. P. Wortley - 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:

Debate resumed.

On motion of The Hon. C. Zollo, the debate was adjourned until Wednesday, 8 June 2011.

Criminal Cases Review Commission Bill.

26. On the Order of the Day being read for the adjourned debate on the question - That the Criminal Cases Review Commission Bill be now read a second time:

Debate resumed.

The Hon. S. G. Wade moved to leave out all words after “That” and insert “the Bill be withdrawn and referred to the Legislative Review Committee for inquiry and report.”.

And the Hon. A. M. Bressington having obtained leave to conclude her remarks, the debate was adjourned until Wednesday, 8 June 2011.
27. Ordered - That Orders of the Day (Private Business) No. 32 to No. 67 be Orders of the Day for Wednesday, 8 June 2011.

28. On the Order of the Day being read for the adjourned debate on the question - That the Coroners (Reportable Death) Amendment Bill be now read a second time:
   Debate resumed.
   Question put and passed.
   Bill read a second time.
   The President then left the Chair, and the Council resolved itself into a Committee of the Whole for the consideration of the Bill.

   In the Committee

   Clauses No. 1 to No. 4 agreed to.
   Title agreed to.

   The President resumed the Chair, and reported that the Committee had considered the Bill and had agreed to the same without amendment; whereupon the Council adopted such report.

   The Minister for Regional Development, pursuant to contingent notice, moved - That the Standing Orders be so far suspended as to enable the Bill to pass through its remaining stages without delay.
   Question put and passed.
   Bill read a third time.
   Resolved - That this Bill do now pass.

29. Ordered - That Orders of the Day (Government Business) No. 1 to No. 8 be Orders of the Day for next day of sitting.

30. On the Order of the Day being read for the adjourned debate on the question - That the Evidence (Identification) Amendment Bill be now read a second time:
   Debate resumed.
   On motion of the Hon. J. M. Gazzola, the debate was adjourned until next day of sitting.


32. On the Order of the Day being read for the adjourned debate on the question - That the Electronic Transactions (Miscellaneous) Amendment Bill be now read a second time:
   Debate resumed.
   On motion of the Hon. J. M. Gazzola, the debate was adjourned until next day of sitting.

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

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

   Message No. 88
   MR. PRESIDENT - The House of Assembly has passed the Bill transmitted herewith entitled an Act to amend the Rail Commissioner Act 2009; and to repeal the TransAdelaide (Corporate Structure) Act 1998, to which it desires the concurrence of the Legislative Council.
   House of Assembly, 18 May 2011.
   L. R. BREUER, Speaker.
   Bill read a first time.
   The Minister for Regional Development then moved - That this 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. 89
   MR. PRESIDENT - The House of Assembly has passed the Bill transmitted herewith entitled an Act to amend the Mining Act 1971, to which it desires the concurrence of the Legislative Council.
   House of Assembly, 18 May 2011.
   L. R. BREUER, Speaker.
Bill read a first time.
The Minister for Regional Development then moved - That this Bill be now read a second time.
On motion of the Hon. D. W. Ridgway, the debate was adjourned until next day of sitting.

35. Council adjourned at three minutes past ten o’clock until tomorrow at fifteen minutes past two o’clock.

Members present during any part of the sitting:

The Hon. A. M. Bressington  The Hon. P. Holloway  The Hon. D. W. Ridgway
The Hon. R. L. Brokenshine  The Hon. D.G.E. Hood  The Hon. T. J. Stephens
The Hon. J.S.L. Dawkins  The Hon. J. S. Lee  The Hon. S. G. Wade
The Hon. T. A. Franks  The Hon. J.M.A. Lensink  The Hon. R. P. Wortley
The Hon. G. E. Gago  The Hon. R. I. Lucas  The Hon. C. Zollo
The Hon. J. M. Gazzola  The Hon. M. C. Parnell
NOTICES AND ORDERS OF THE DAY

THURSDAY 19 MAY 2011

Orders of the Day: Government Business -


*2. Stamp Duties (Partnership Interests) Amendment Bill (No. 35): adjourned debate on second reading - (July 21, September 16) - (The Hon. R. P. Wortley).

*3. Statutes Amendment (Criminal Intelligence) Bill (No. 65): in Committee - clause 6 - (November 25, March 8).


*5. Natural Resources Management (Review) Amendment Bill (No. 78): in Committee - clause 2 - (May 3).


*10. Summary Offences (Prescribed Motor Vehicles) Amendment Bill (No. 82A): consideration in Committee of Message No. 82 from the House of Assembly.


*15. Rail Commissioner (Miscellaneous) Amendment Bill (No. 100): adjourned debate on second reading - (May 18) - (The Hon. D. W. Ridgway).


*Received from House of Assembly.
WEDNESDAY 8 JUNE 2011

Orders of the Day: Private Business -


2. Adjourned debate on motion of the Hon. M. C. Parnell - That this Council notes -
   I. The escalating use of Private Finance Initiatives, including private-public partnerships, to fund major new public capital investment, including school upgrades, the Port Stanvac desalination plant and the new Royal Adelaide Hospital;
   II. The privatisation of public assets in the State’s South East through the forward sale of timber harvesting; and
   III. That this privatisation by stealth is in clear breach of the “no privatisation” rhetoric of the Premier and other Members of his Government;
   and calls on the Government to initiate an independent review to compare the financial performance of Private Finance Initiatives with alternative public infrastructure financing methods - (May 18) - (The Hon. I. K. Hunter).

3. Adjourned debate on motion of the Hon. I. K. Hunter - That the Report of the Social Development Committee on Same-Sex Parenting, be noted - (May 18) - (The Hon. J. M. Gazzola).

4. Adjourned debate on motion of the Hon. A. M. Bressington - That the Legislative Council condemns the slur against the then Burnside City Councillor, Mr. Robert Gilbert, by the Member for Newland in the House on Assembly on 14 October 2010 and calls on the Member for Newland to correct the record through an apology - (May 18) - (The Hon. T. J. Stephens).

5. Adjourned debate on motion of the Hon. M. C. Parnell - That this Council calls on the State Government to -
   I. Responsibly plan for a future time when our State’s non-renewable mineral resources run out; and
   II. Investigate models for the creation of a Sovereign Wealth Fund to ensure our long term prosperity - (May 18) - (The Hon. T. J. Stephens).

6. Adjourned debate on motion of the Hon. M. C. Parnell - That this Council -
   I. Notes that it has been almost 40 months since the initial discovery of illegal waste disposal and vandalism by Marathon Resources in the Arkaroola Wilderness Sanctuary; and
   II. Calls for the State Government to urgently guarantee permanent protection for the iconic and majestic mountains of Arkaroola - (May 18) - (The Hon. I. K. Hunter).

7. The Hon. R. P. Wortley to move - That the Regulations under the Associations Incorporation Act 1985, concerning Fees, made on 16 December 2010 and laid on the Table of this Council on 10 February 2011, be disallowed.


9. The Hon. S. G. Wade to move - That By-law No. 6 of the Corporation of the City of Adelaide concerning Rundle Mall, made on 10 February 2011 and laid on the Table of this Council on 22 February 2011, be disallowed.

10. Adjourned debate on motion of the Hon. I. K. Hunter - That this Council congratulates Amnesty International on its 50th Anniversary which will be celebrated on 28 May 2011 - (May 4, 18) - (The Hon. T. J. Stephens).
11. Adjourned debate on motion of the Hon. J. A. Darley - That this Council calls on the Minister for Environment and Conservation to exercise his discretion, pursuant to section 80 of the Natural Resources Management Act 2004 and not adopt the draft Western Mount Lofty Ranges Water Allocation Plan and the draft Eastern Mount Lofty Ranges Water Allocation Plan - (May 4) - (The Hon. I. K. Hunter).


13. The Hon. D.G.E. Hood to move - That By-law No. 6 of the Corporation of the City of Adelaide concerning Rundle Mall, made on 10 February 2011 and laid on the Table of this Council on 22 February 2011, be disallowed.


15. The Hon. R. P. Wortley to move - That By-law No. 2 of the District Council of Peterborough concerning Moveable Signs, made on 20 December 2010 and laid on the Table of this Council on 10 February 2011, be disallowed.

16. Adjourned debate on motion of the Hon. S. G. Wade - That this Council notes the centenary of the passage of the Female Practitioners Act 1911, the contribution of female practitioners in the 100 years since and the ongoing contribution of women to the State through the legal profession. To which the Hon. C. Zollo moved to leave out all words after “centenary” and insert the following:

“of International Women’s Day and the passage of the Female Practitioners Act 1911. This Council also notes the contribution of female practitioners in the 100 years since and the ongoing contribution of women to the State through the legal profession.”.

Question - That the amendment be agreed to - (March 9, May 18) - (The Hon. I. K. Hunter).

17. Adjourned debate on motion of the Hon. T. A. Franks - That the Environment, Resources and Development Committee inquire into and report on duck and quail shooting in South Australia with particular reference to -

I. The extent of the practice and statistical information about -
   (a) the prevalence of kills and wounding of targeted animals;
   (b) the prevalence of kills and wounding of non-targeted animals; and
   (c) the prevalence of kills and wounding of protected or endangered species;

II. Whether the declaration of an open season for duck shooting contravenes the Animal Welfare Act 1985;

III. Whether strong community support exists for abolition or continuation of open seasons for duck and quail shooting; and

IV. Any other related matters - (March 9) - (The Hon. C. Zollo).

18. Adjourned debate on motion of the Hon. T. A. Franks - That this Council condemns the Government for its failure to -

I. Act in a timely and appropriate manner to proclaim legislation passed over 15 months ago, namely the Building and Construction Industry Security of Payment Act 2009;

II. Allocate responsibility for this legislation to a particular Minister;

III. Acknowledge the hardship and human consequences that its failure to act has created, including protracted and expensive litigation undertaken to recover moneys owed that would not have been necessary had this legislation been active; and

IV. Provide this Council with details of -
   (a) which Government Department will be responsible for administering the Act and its regulations;
   (b) when the industry will be able to access information and details, including a public point of contact within Government to obtain further information when, and if, this becomes available; and
   (c) how the Government intends to urgently inform the industry in regards to this; and
(d) when the people in the industry who have been seeking answers from the Premier and Attorney-General’s Offices will actually get a response to their correspondence - (March 9) - (The Hon. J.S.L. Dawkins).

19. Marriage Equality Bill (No. 73): adjourned debate on second reading - (February 9, 23) - (The Hon. J. M. Gazzola).


21. Adjourned debate on motion of the Hon. J.M.A. Lensink - That this Council calls on the Minister for Environment and Conservation to place an immediate moratorium on the imposition of the draft sanctuary zones contained within the Marine Parks’ outer boundaries for South Australia - (February 9, 23, March 23) - (The Hon. J. M. Gazzola).

22. Adjourned debate on motion of the Hon. T. A. Franks - That this Council -
   I. Notes the Labor Government’s December 2010 announcement of intent to transfer eating disorder beds from the Weight Disorder Unit, otherwise known as Ward 4G at Flinders Medical Centre, to other general medical and psychiatric facilities being the Margaret Tobin Centre and the Boylan Ward at the Women’s and Children’s Hospital;
   II. Notes the grave concerns expressed by eating disorders’ consumers, carers and advocacy groups that this move will significantly lower the quality and accessibility of care options for those suffering and recovering from eating disorders in South Australia;
   III. Welcomes the Minister for Health’s assurance that this move will now not proceed until after the latest review of Ward 4G is completed; and
   IV. Urges the Minister to work towards an outcome that utilises this opportunity to ensure that future care for those suffering from eating disorders adopts a State-wide approach for a continuum of care that is world class, holistic and accessible to both adult and adolescent sufferers - (February 9) - (The Hon. J. M. Gazzola).

23. Children’s Protection (Lawful Surrender of Newborn Child) Amendment Bill (No. 74): adjourned debate on second reading - (February 9, April 6) - (The Hon. C. Zollo).


25. The Hon. I. K. Hunter to move - That he have leave to introduce a Bill for an Act providing for marriage between adults of the same sex.


27. Parliamentary Remuneration (Basic Salary Determinations) Amendment Bill (No. 71): adjourned debate on second reading - (November 24) - (The Hon. M. C. Parnell).

28. 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.

29. 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.


34. Criminal Cases Review Commission Bill (No. 59): adjourned debate on the question - That this Bill be now read a second time.
To which the Hon. S. G. Wade moved to leave out all words after “That” and insert “the Bill be withdrawn and referred to the Legislative Review Committee for inquiry and report.”.
Question - That the words proposed to be struck out, stand - (November 10, May 18) - (The Hon. A. M. Bressington).

35. Workers Rehabilitation and Compensation (Reinstatement of Entitlements) Amendment Bill (No. 60): adjourned debate on second reading - (November 10) - (The Hon. R. P. Wortley).

36. Adjourned debate on motion of the Hon. R. L. Brokenshire - 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 - (November 24) - (The Hon. R. L. Brokenshire).

37. 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.
38. 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)².

39. Adjourned 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).

40. Parks Community Centre (Preservation of Land and Services) Bill (No. 54): adjourned debate on second reading - (October 27) - (The Hon. J. M. Gazzola)².

41. Development (Crown Development) Amendment Bill (No. 56): adjourned debate on second reading - (October 27) - (The Hon. J. M. Gazzola)².

42. 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).


45. 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).

46. Health Care (Country Health Guarantee) Amendment Bill (No. 89): adjourned debate on second reading - (March 23) - (The Hon. J. M. Gazzola)².

47. Coroners (Recommendations) Amendment Bill (No. 44): adjourned debate on second reading - (September 29) - (The Hon. R. P. Wortley)³.
48. 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.

49. 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).

50. 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)².

51. 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).

52. 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).

53. Native Vegetation (Application of Act) Amendment Bill (No. 29): adjourned debate on second reading - (July 21, April 6) - (The Hon. P. Holloway)⁷.


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

56. Disability (Mandatory Reporting) Bill (No. 32): adjourned debate on second reading - (July 21, October 27) - (The Hon. B. V. Finnigan)⁸.

57. Electoral (Voting Age) Amendment Bill (No. 33): adjourned debate on second reading - (July 21) - (The Hon. C. Zollo)⁹.

58. Stolen Generations Reparations Tribunal Bill (No. 34): adjourned debate on the Question - That this Bill be now read a second time.
   To which the Hon. S. G. Wade moved to leave out all words after “That” and insert “the Bill be withdrawn and referred to the Aboriginal Lands Parliamentary Standing Committee for inquiry and report.”.
   Question - That the words proposed to be struck out, stand - (July 21, May 4) - (The Hon. I. K Hunter)⁶.

59. 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.
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).

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).

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).


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

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

66. Subordinate Legislation (Miscellaneous) Amendment Bill (No. 6): adjourned debate on second reading - (May 12, April 6) - (The Hon. P. Holloway).

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

68. The Hon. R. L. Brokenshire to move - That he have leave to introduce a Bill for an Act to amend the Constitution Act 1934.


70. 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).

WEDNESDAY 27 JULY 2011

Orders of the Day: Private Business -

1. Select Committee on Matters Related to the General Election of 20 March 2010: Report to be brought up.

2. Budget and Finance Committee: Report to be brought up.

3. Select Committee on Disability Services Funding: Report to be brought up.

4. Select Committee on Lonsdale-based Adelaide Desalination Plant: Report to be brought up.

5. Select Committee on Department of Correctional Services: Report to be brought up.
6. Select Committee on Harvesting Rights in Forestry SA Plantation Estates: Report to be brought up.

7. Select Committee on Marine Parks in South Australia: Report to be brought up.

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Contingent Notice of Motion -

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

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

Member in charge of Bill -
1Hon. S. G. Wade
2 Hon. R. L. Brokenshire
3 Hon. J. S. L. Dawkins
4 Hon. A. M. Bressington
5 Hon. J. M. A. Lensink
6 Hon. T. A. Franks
7 Hon. M. C. Parnell
8 Hon. K. L. Vincent
9 Hon. D. G. E. Hood
10 Hon. D. W. Ridgway
11 Hon. J. A. Darley