No 38

VOTES AND PROCEEDINGS

OF THE

HOUSE OF ASSEMBLY

TUESDAY 5 DECEMBER 2006

1 Meeting of House
The House met pursuant to adjournment. The Speaker (Hon J J Snelling) took the Chair and read prayers.

2 Message from the Governor
The following Message from the Governor was received and read:

Assent to Bills Message No 19
The Governor informs the House of Assembly that, in the name and on behalf of Her Majesty The Queen, the following Acts were assented to during the first Session of the 51st Parliament, viz.:-
No 26 of 2006 An Act to amend the Magistrates Act 1983.
No 27 of 2006 An Act to amend the Stamp Duties Act 1923.
No 28 of 2006 An Act for the appropriation of money from the Consolidated Account for the year ending on 30 June 2007 and for other purposes.
No 29 of 2006 An Act to amend the Upper South East Dryland Salinity and Flood Management Act 2002.
No 30 of 2006 An Act to amend the Evidence Act 1929.
No 32 of 2006 An Act to establish a register of child sex offenders; to prevent registered child sex offenders engaging in child-related work; to make a related amendment to the Criminal Law (Sentencing) Act 1988; and for other purposes.
No 33 of 2006 An Act to amend the Evidence Act 1929.
Government House, 5 December 2006 M Jackson-Nelson, GOVERNOR

3 Petitions Nos 39 to 41
The Clerk announced that the following Members had lodged Petitions for presentation:

39 Hon R G Kerin, from 475 residents of South Australia, requesting the House to call on the Government to maintain the staffing and current session times at the Solomontown Kindergarten for the foreseeable future.

40 Hon S W Key, from 182 residents of South Australia, requesting the House to urge the Government to reject the proposed erection of 20 metre transmission poles and high-voltage lines by ESTA Utilities in the Clarence Gardens area and to re-route the lines along South Road preferably underground.
41 Mr Hamilton-Smith, from 38 residents of South Australia, requesting the House to urge the Government to extend the current passenger rail service from Gawler to the Barossa Valley.

4 Answers to questions
Answers to questions on the Notice Paper Nos 21, 24, 38, 80, 81, 95, 100, 102, 110, 118, 120, 122, 124 and 130 and questions without notice were tabled by the Speaker.

5 Papers
The following Papers were tabled:

The Speaker laid on the Table the following reports:

Pursuant to Section 131 of the Local Government Act 1999 the following 2005-2006 annual reports of Local Councils:
- Alexandrina Council
- Barunga West
- Berri Barmera
- Ceduna
- Cleve
- Elliston
- Flinders Ranges
- Karoonda East Murray
- Kimba
- Le Hunte
- Mount Gambier
- Murray Bridge
- Streaky Bay
- West Torrens

By the Premier (Hon M D Rann) –

By Minister for the Arts (Hon M D Rann) –
Adelaide Film Festival – Report 2005-2006

Regulation under the following Act –
State Theatre Company of South Australia - Elections

By the Deputy Premier (Hon K O Foley) –

By the Treasurer (Hon K O Foley) –
Trauma and Injury Recovery (TRACSA) – Report 2005-2006

By the Minister for Industry and Trade (Hon K O Foley) –

By the Deputy Premier on behalf of the Minister for Transport (Hon P F Conlon) –
Regulations
Development (Panels) Amendment - Council Development Assessment Panels

By the Deputy Premier on behalf of the Minister for Infrastructure (Hon P F Conlon) –

By the Deputy Premier on behalf of the Minister for Energy (Hon P F Conlon) –
Code Register for the National Third Party Access Code for Natural Gas Pipeline Systems –
Report 2005-2006

By the Attorney-General (Hon M J Atkinson) –
Dangerous Areas Declaration for the period 1 July 2006 to 30 September 2006
Legal Services Commission of South Australia – Report 2005-2006
Road Block Establishment Authorisations for the period 1 July 2006 to 30 September 2006

Rules of Court –
Supreme Court - Criminal Court Subpoenas

By the Minister for Justice (Hon M J Atkinson) –
Justice, Department of – Report 2005-2006

By the Minister for Multicultural Affairs (Hon M J Atkinson) –

By the Minister for Health (Hon J D Hill) –
Chiropractors Board of South Australia – Report 2005-2006
Crystal Brook District Hospital Inc – Report 2005-2006
Dental Board of South Australia – Report 2005-2006
Eyre Regional Health Service Inc – Report 2005-2006
Leigh Creek Health Service Inc – Report 2005-2006
Lower Eyre Health Services – Report 2005-2006
Mid North Regional Health Service – Report 2005-2006
Mid West Health and Aged Care Inc and Mid West Health Inc – Report 2005-2006
Mt Barker and District Health Services Inc – Report 2005-2006
Northern and Far Western Regional Health Service – Report 2005-2006
Nurses Board of South Australia – Report 2005-2006
Penola War Memorial Hospital Inc – Report 2005-2006
Peterborough Soldiers Memorial Hospital and Health Service Inc – Report 2005-2006
Pharmacy Board of South Australia – Report 2005-2006
Podiatry (Chiropody) Board of South Australia – Report 2005-2006
Port Pirie Regional Health Service – Report 2005-2006
Riverland Health Authority Inc – Report 2005-2006
South Coast District Hospital Inc – Report 2005-2006
South East Regional Health Service Inc – Report 2005-2006
Strathalbyn and District Health Service – Report 2005-2006
Tailem Bend District Hospital – Report 2005-2006
The Whyalla Hospital and Health Service Inc – Report 2005-2006

By the Minister Assisting the Premier in the Arts (Hon J D Hill) –
Adelaide Festival Centre – Report 2005-2006
History Trust of South Australia – Report 2005-2006
State Opera of South Australia – Report 2005-2006
Youth Arts Board, South Australian - Carclew Youth Arts – Report 2005-2006

By the Minister for Administrative Services and Government Enterprises (Hon M J Wright) –

Regulations
State Procurement - Prescribed Authorities

By the Minister for Industrial Relations (Hon M J Wright) –

By the Minister for State/Local Government Relations (Hon J M Rankine) –

Rules –
Local Government –
Insurance Restructuring
Permanent Incapacity

By the Minister for Consumer Affairs (Hon J M Rankine) –

Regulations
Liquor Licensing –
Peterborough Area
Port Augusta
Travel Agents – Exemptions.

6 Environment, Resources and Development Committee - Report – Upper South East
Ms Breuer brought up the Sixtieth Report of the Committee titled the Upper South East Dryland
Report received.
Ordered to be published (Paper No 207).
7 Natural Resources Committee – Report – Mineral Resources Development in South Australia


9 Questions
Questions without notice were asked.

10 Grievance debate
On motion of the Speaker, the House noted grievances.

11 Message from the Legislative Council
The following Message from the Legislative Council was received and read:

Genetically Modified Crops Management (Extension of Review Period and Controls) Amendment Bill Message No 48
MR SPEAKER - The Legislative Council has agreed to the Bill returned herewith, titled an Act to amend the Genetically Modified Crops Management Act 2004, without any amendment.
Legislative Council, 16 November 2006 R K Sneath, PRESIDENT


In Committee
The Minister for Agriculture, Food and Fisheries, Minister for Forests (Hon R J McEwen), examined.
To report progress and ask leave to sit again.

The House having resumed:
Ms Thompson reported that the Committee had examined a Minister on matters contained in the Report referred to it, had made progress therein and asked leave to sit again. Ordered - That the Committee have leave to sit again on motion.

13 Postponement of business

14 Emergency Management (State Emergency Relief Fund) Amendment Bill
Order of the Day read for the adjourned debate on the question - That this Bill be now read a second time. Debate resumed. Question put and passed.
Bill read a second time.

In Committee
Clauses Nos 1 to 3 agreed to. Title agreed to.
The House having resumed:
Ms Thompson reported that the Committee had considered the Bill referred to it and had agreed to the same without amendment.

Bill read a third time and passed.

15 Message from the Legislative Council

The following Message from the Legislative Council was received and read:

Development (Building Safety) Amendment Bill  
Message No 53
MR SPEAKER - The Legislative Council has passed the Bill transmitted herewith, titled an Act to amend the Development Act 1993, to which it desires the concurrence of the House of Assembly.
Legislative Council, 5 December 2006 R K Sneath, PRESIDENT

Bill read a first time.

The Minister for Families and Communities (Hon J W Weatherill), moved - That this Bill be now read a second time.
Ordered, on motion of Mrs Redmond, that the debate be adjourned until tomorrow.

16 Statutes Amendment (Justice Portfolio) Bill

Order of the Day read for the consideration of the amendments of the Legislative Council in this Bill.

In Committee

The Attorney-General, moved – That the amendments be disagreed to.
Question put.

Committee divided.

Ayes, 21
Ms Bedford
Ms Breuer
Hon P Caica
Hon K O Foley
Miss Fox
Mrs Geraghty
Mr Hanna
Hon J D Hill
Hon S W Key
Mr Koutsantonis
Hon J D Lomax-Smith
Hon K A Maywald
Mr O'Brien
Mr Piccolo
Ms Portolesi
Ms Simmons
Hon L Stevens
Hon J Snelling
Hon J W Weatherill
Hon P L White
Hon M J Atkinson (Teller)

Noes, 8
Mr Goldsworthy
Mr Griffiths
Mr Hamilton-Smith
Mr Pederick
Mr Pisoni
Mrs Redmond
Mr Venning
Mrs Penfold (Teller)

So it was resolved in the affirmative.

The House having resumed:
Ms Thompson reported that the Committee had considered the amendments referred to it and had disagreed to the same.
17 Message from the Legislative Council
The following Message from the Legislative Council was received and read:

Road Traffic (Notices of Licence Disqualification or Suspension) Amendment Bill
Message No 54
MR SPEAKER - The Legislative Council has passed the Bill transmitted herewith, titled an Act to amend the Road Traffic Act 1961, to which it desires the concurrence of the House of Assembly.
Legislative Council, 5 December 2006
R K Sneath, PRESIDENT

Bill read a first time.

The Attorney-General moved - That this Bill be now read a second time.
Ordered, on motion of Mrs Redmond, that the debate be adjourned until tomorrow.

18 Postponement of business

19 Summary Offences (Gatecrashers at Parties) Amendment Bill
Order of the Day read for the adjourned debate on the question - That this Bill be now read a second time.
Debate resumed.
Ordered, on motion of Mrs Redmond, by leave, that the debate be further adjourned and resumed on motion.


In Committee

The Minister for Health, Minister for the Southern Suburbs and Minister Assisting the Premier in the Arts (Hon J D Hill), examined.

To report progress and ask leave to sit again.

The House having resumed:
Ms Thompson reported that the Committee had examined a Minister on matters contained in the Report referred to it, had made progress therein and asked leave to sit again.
Ordered - That the Committee have leave to sit again tomorrow.

21 Summary Offences (Gatecrashers at Parties) Amendment Bill
Ordered - That the adjourned debate on the question - That this Bill be now read a second time - be now resumed.
Debate resumed.
Question put and passed.

Bill read a second time.

In Committee
Clauses Nos 1 to 4 agreed to.
Clause No 5 read.

Mrs Redmond moved, on page 5, line 5, to delete paragraph (a).
Question – That the amendment be agreed to – put and negatived.
Mrs Redmond moved, on page 5, lines 7 and 8, to delete paragraph (c).

Question – That the amendment be agreed to – put and negatived.

Clause No 5 agreed to.
Schedule agreed to.
Title agreed to.

The House having resumed:
Ms Thompson reported that the Committee had considered the Bill referred to it and had agreed to the same without amendment.

Bill read a third time and passed.

22 Message from the Legislative Council
The following Message from the Legislative Council was received and read:

Southern State Superannuation (Insurance, Spouse Accounts and Other Measures) Amendment Bill Message No 55
MR SPEAKER - The Legislative Council has passed the Bill transmitted herewith, titled an Act to amend the Southern State Superannuation Act 1994, to which it desires the concurrence of the House of Assembly.
Legislative Council, 5 December 2006 R K Sneath, PRESIDENT

Bill read a first time.

The Attorney-General moved - That this Bill be now read a second time.
Ordered, on motion of Mrs Redmond, that the debate be adjourned until tomorrow.

23 Adjournment
The Attorney-General, moved – That the House do now adjourn.
Debate ensued.
Question put and passed.
The House adjourned at 9.22 pm until tomorrow at 2.00 pm.

MOTIONS OF WHICH NOTICE WAS GIVEN

For Wednesday 6 December 2006

Notices of Motion: Government Business -

The Minister for Sustainability and Climate Change to move – That he have leave to introduce a Bill for an Act to provide for measures to address climate change with a view to assisting to achieve a sustainable future for the State; to set targets to achieve a reduction in greenhouse gas emissions within the State; to promote the use of renewable sources of energy; to promote business and community understanding about issues surrounding climate change; to facilitate the early development of policies and programs to address climate change; and for other purposes

The Minister for Health to move – That he have leave to introduce a Bill for an Act to protect the health and safety of the public by providing for the registration of pharmacists, pharmacy students, pharmacies and pharmacy depots; to regulate the provision of pharmacy services for the purpose of maintaining high standards of competence and conduct by the persons who provide it; to repeal the Pharmacists Act 1991; and for other purposes.
The Minister for Industrial Relations to move – That he have leave to introduce a Bill for an Act to amend the Occupational Health, Safety and Welfare Act 1986.

The Minister for Industrial Relations to move – That he have leave to introduce a Bill for an Act to provide for matters relating to dangerous substances and major hazard facilities; to repeal the Explosives Act 1936; to amend the Dangerous Substances Act 1979, the Environment Protection Act 1993 and the Road Traffic Act 1961; and for other purposes.

The Minister for Administrative Services and Government Enterprises to move – That he have leave to introduce a Bill for an Act to amend the State Lotteries Act 1966.

Notices of Motion: Private Members Business Bills/Committees/Regulations -

Hon R B Such to move – That he have leave to introduce a Bill for an Act to provide for the administration of medical procedures to assist the death of a limited number of patients who are in the terminal phase of a terminal illness, who are suffering unbearable pain and who have expressed a desire for the procedures subject to appropriate safeguards; and for other purposes.

Mrs Penfold to move – That the Regulations made under the Tobacco Products Regulation Act 1997 entitled Tobacco Products Variation Regulations 2006, made on 9 November 2006 and laid on the table of this House on 14 November 2006, be disallowed.

Hon R B Such to move – That he have leave to introduce a Bill for an Act to amend the City of Adelaide Act 1998; the Local Government Act 1999; the Parliamentary Remuneration Act 1990; the Parliamentary Superannuation Act 1974; and the Remuneration Act 1990.

Hon R B Such to move – That he have leave to introduce a Bill for an Act to amend the City of Adelaide Act 1998; and the Local Government Act 1999.


Mr Rau to move – That the Eighth Report of the Natural Resources Committee entitled Mineral Resource Development in South Australia, be noted.

Mr Williams to move – That he have leave to introduce a Bill for an Act to amend the Shop Trading Hours Act 1977.

For Thursday 7 December 2006

Notice of Motion: Other Motions -

Mr Venning to move – That this House –
(a) expresses concern on the inconsistency of speed limits across South Australia and Australia;
(b) recommends that the State and Federal Governments agree to introduce standard speed limits across Australia; and
(c) supports the trialing of multi-colour lines or markings on roads to designate the applicable speed limit.
For Wednesday 7 February 2007

Notice of Motion: Private Members Business Bills/Committees/Regulations -

Ms Portolesi to move – That a Select Committee be established to inquire into how South Australians can balance work and life responsibilities, in particular –
(a) to identify best practice employment standards, which enable public and private sector workers to balance work and life responsibilities, including the care of dependants;
(b) to identify economic development opportunities for South Australia as a result of flexible employment practices;
(c) to examine the impact of State and Federal Industrial Relations Systems for South Australians seeking to achieve an appropriate work and life balance;
and to consider any other relevant matter.

For Thursday 8 February 2007

Notices of Motion: Other Motions -

Mr Hamilton-Smith to move – That this House calls on the Government to –
(a) ensure the process for notifying licence holders of suspension following demerit point loss are immediate and that any loopholes in the process are closed; and
(b) inform the House of the effectiveness of the penalties imposed by the Courts for unlicenced driving.

Ms Portolesi to move – That this House re-affirms its commitment to multiculturalism as a policy based on mutual respect, understanding and co-existence, and which values the cultural diversity and economic opportunity brought to Australia by migrants.

Mr Venning to move – That this House –
(a) notes the decrease in speed limits on many major South Australian roads are due to deteriorating road conditions;
(b) supports the installation of signage depicting the safety rating of these particular roads: and
(c) calls for the assessment of such ratings to be set by a joint committee made up of the Road Safety Council, the RAA, Transport SA and the Australian Automobile Association.

For Thursday 22 February 2007

Notice of Motion: Other Motions -

Mr Pisoni to move – That this House –
(a) recognises the leadership of two of this State’s most visionary Members of Parliament, the Hon Norm Foster and Hon David Tonkin AO; and
(b) calls on the Government, subject to consultation with their respective families, to name
(i) the proposed South Road/Port Road Tunnel the “Hon Norm Foster Tunnel”; and
(ii) the proposed South Road/Anzac Highway underpass the “Hon David Tonkin Underpass”.

Present during the day - All Members except the Minister for Transport (Hon P F Conlon).
The following Pairs were handed in at the Table during the days proceedings:
Division No 1 -
Ayes – The Premier (Hon M D Rann), Minister for Transport, Minister for Agriculture, Food and Fisheries, Minister for State/Local Government Relations, Mr Bignell, Ms Ciccarello and Mr Kenyon.
Noes – The Leader of the Opposition (Hon I F Evans), Ms Chapman, Hon G M Gunn, Hon R G Kerin, Dr McFetridge, Mr Pengilly and Mr Williams.

Hon J J Snelling
SPEAKER

David A Bridges
CLERK OF THE HOUSE OF ASSEMBLY