

HOUSE OF ASSEMBLY

Tuesday, 2 December 2014

The **SPEAKER (Hon. M.J. Atkinson)** took the chair at 11:01 and read prayers.

The SPEAKER: Honourable members, I respectfully acknowledge the traditional owners of this land upon which this parliament is assembled and the custodians of the sacred lands of our state.

Bills

FAIR WORK (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 20 November 2014.)

Mr MARSHALL (Dunstan—Leader of the Opposition) (11:03): I rise to speak on the Fair Work (Miscellaneous) Amendment Bill 2014, which seeks to amend the Fair Work Act 1994, and indicate that I will be the lead speaker on this bill for Her Majesty's Loyal Opposition. This bill deals with two significant issues. One is the amendment proposed to abolish the statutory office of the Employee Ombudsman here in South Australia and the second, of course, is to deal with changes to the requirement for a constitution of the full commission of the Industrial Relations Commission here in South Australia.

I indicate to the house that we will be supporting the second reading of the bill in this chamber today but will be reserving our position on possible amendments and the third reading until after the bill is reintroduced in February next year, after the government prorogues the parliament. Of course, we are not great supporters of this prorogation. We believe it just creates unnecessary delay to the passage of important legislation before the house, and we cannot see any particularly strong argument from the government as to why this should occur, especially considering that the last prorogation occurred only very recently.

I will now address the issues contained in this amendment bill, starting with the proposed abolition of the Employee Ombudsman. This is an issue which I first raised with the Attorney-General in this chamber during estimates. As we are aware, we have been without an Employee Ombudsman in South Australia for some time. I asked the question of the Attorney-General, whether or not there was a need, given the fact that we have not had somebody in the role for an extended period of time, and to his credit the Attorney-General said that he was not sure whether there was a continuing need to have somebody in this important role. Of course, now we have this amendment bill before us today.

The Office of the Employee ombudsman consists of the Employee Ombudsman and staff appointed to assist the ombudsman in the performance of functions under the Fair Work Act. My understanding is that the budgeted cost for the Office of the Employee Ombudsman in this current financial year is set at \$507,000 for a total complement of staff of 5.3 full-time equivalents.

It is fair to say that the original intention of the Employee Ombudsman was to protect the interests of workers in the private sector who were not members of the union. Of course, we have transferred the jurisdiction for private sector employees to the federal jurisdiction. So, this current role, the Employee Ombudsman role in South Australia, has a much more diminished area of responsibility, down to just the public sector and local government employees in South Australia.

The government, in their contribution regarding this proposed amendment, has said that there are now similar services provided to private sector employees with the commonwealth Fair Work Ombudsman. The government also claims that there are various free or low-cost legal services available to all public and private sector employees in South Australia, and for that reason they have moved this amendment. We have received contributions from a range of stakeholders,

and it is fair to say that they have been generally in support of the government's position in relation to this matter.

On the second issue, the composition of the Industrial Relations Commission, there is more varied response from stakeholders across South Australia. The current Industrial Relations Commission in South Australia is comprised of the president, two deputy presidents and two commissioners. One of those two commissioners, David Steel, is retiring in December of this year. May I just state for the *Hansard* that we believe him to have been an excellent commissioner in South Australia and we commend him for his service in this important role.

The government claims that, due to a decline in workload, they do not see the need to replace Mr Steel with another commissioner, but this of course does throw up some problems. The Fair Work Act requires that if there is an appeal to the Full Bench of the Industrial Relations Commission against the decision of the sole remaining commissioner then the full bench must comprise at least one commissioner. We would not have that opportunity if David Steel is not replaced when he retires in December.

As I said, we have had a range of views expressed. We look forward to the committee stage of this bill. We do support the second reading of the bill today, but we will be reserving our position on possible amendments and the third reading until after the bill is reintroduced after prorogation.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:09): I rise to speak on the Fair Work (Miscellaneous) Amendment Bill 2014. It is fair to say that this bill is anything but miscellaneous. Its first objective is to abolish the Office of the Employee Ombudsman, and as has been raised by our leader when he queried the continued workload of that entity in estimates earlier this year, the government is now acting to abolish the position.

This is a position which was originally established in 1994 to provide advice and assistance to South Australian employees. It was to be an independent statutory body established under the Fair Work Act, and it was not subject to control, or direction, by a minister. Clearly, it was designed to ensure that it would be available for employees who were not members of the union, so it is hardly surprising that the government would probably want to get rid of it. In any event, it has fallen into a period of minimal performance because of the amendments which came into effect some years ago to provide for the transfer of industrial relations matters to the commonwealth for all privately employed parties. They now have a different regime of protection and, indeed, places for their disputes to be heard.

The South Australian structure remained for employees of local government and state government. I could never understand—even at that time—that if it was so fantastic for everyone else who worked in South Australia to be transferred to the jurisdiction of the commonwealth, why it was not good enough for public servants. There was some pathetic excuse at the time about the government claiming it needed to keep it within the state jurisdiction and provide services to public servants of local and state government. From my point of view, if it was good enough for the private sector to be transferred, then it ought to be good enough for the public sector.

Nevertheless, a direct consequence of that is that for the last four years there has been little or no work done in the sense of dealing with complaints. It is true that, when one peruses the annual reports of the Office of the Employee Ombudsman, there has been some continued work in preparing papers for consideration by the government. There were inquiries some years ago into child labour dealing with submissions on the state wage case and SafeWork SA's review into occupational and health and safety, and the office made a contribution in respect of fair wear for school uniforms and dealt with the rather new and emerging communities and rural and young workers where they may be marginalised or unrepresented and needed some protection. So, there is no question that in the employment sphere they remained reasonably active, and I have no doubt they provided some valuable advice.

I have no idea what happened in 2009-10 because apparently in that year it did not file a report, and I am not sure why. The 2010-11 annual report explained that it was an entity operating on nearly \$600,000 a year. By that stage, the commissioner, Mr Stephen Brennan, and five employees were doing 80 per cent state private matters (which were referred on to Fair Work Australia) and 20 per cent matters within their jurisdiction.

So, it continued on, and when the Attorney, as Minister for Industrial Relations, made a contribution to this chamber, although he referred to this being as a result of recent changes in the commonwealth development (and we are talking a couple of years ago), he also referred to the Employee Ombudsman's annual report for the 2012-13 financial year, indicating that there were less than 2,900 requests for assistance, and only 22 per cent of those queries being from the public sector. The remaining 78 per cent of requests were from private sector employees for whom the Employee Ombudsman had no statutory function. So that was still the case.

I went to have a look at the 2013-14 annual report of the Employee Ombudsman, which was prepared by Ms Stephanie Burke as the acting ombudsman, and it answered the question as to why, given that this was tabled in September and the Fair Work Bill introduced in this house in November by the Minister for Industrial Relations, he had not reported to the parliament on the most recent information from that annual report, namely 2013-14.

Unsurprisingly, when one reads the report, it is very thin. One of the reasons for that is that it outlines that, notwithstanding there had been attached to the annual report the statistical data and the composition of the nature of complaints, in the last financial year's annual report it appears on page 9 that the statistical summary of the Office of the Employee Ombudsman would not be provided because, in fact, the computer system had crashed and there had been an upgrade of the computer system apparently as a result of that, and they had lost all the data and some information could not be retrieved, and the best they could do was to keep a manual record until the new system was in place. From that, they had a statistical summary where they thought they had approximately 2,000 new calls for assistance, but any other data in relation to that was not available.

So, we have a very thin report and it seems that that is the answer as to why the Attorney-General slipped over the fact in his second reading that he was giving us data that was two years old. However, in any event, the position is clear: the workload of this group continues, and there was a near \$472,000 cost in operating this entity with the acting commissioner and four employees in the preceding financial year ending 30 June 2014. It obviously has little work to do within its jurisdiction—and I am not suggesting they are all sitting down there behind their desks doing nothing. It seems that they are referring on a number of inquiries to the relevant authorities.

I noticed on the website of the Employee Ombudsman it says that, if you are unhappy with your work arrangements, you can get in touch with them. It does not actually define anywhere immediately obvious that, if you are a private employee, in fact you are to go off to other parties. Further along in the website that is identified, so perhaps they like being a referral agency, I do not know but, in any event, they clearly do not have the workload to do, and so it is the government's intention that they be abolished.

The other embarrassing aspect for the government is that the former employee ombudsman, Mr Stephen Brennan, in the earlier part of 2013, stood down from his employment on the basis that he had been a branch secretary of a national textile union and had been arrested after the union reported an alleged misuse of union funds earlier that year. Doubtless, he had to go to the minister and explain what had happened but, just days before the election this year, this story broke in the newspapers telling us that this had been the case; that is, he had been charged and that, even though he had stood down from his duties for some 10 months or so before the election, the charges were laid on the eve of the election.

During that time, notwithstanding being stood down from his position, which I assume to have been on a voluntary basis, he continued to pick up his \$140,000 a year salary, and the Minister for Industrial Relations, who obviously took the view that he would not be able to discharge his duties for some time, had indicated at least publicly that it might be a time for the ombudsman to consider resigning from the position. He did not. That case continues.

In fact, in September of this year, it came back before the courts on the 32 counts of dishonest dealing, which has now been upgraded. Since 26 September 2014, the DPP has now laid embezzlement and theft charges against the ombudsman and obviously it is at a very serious level. I cannot be certain as to the extent of the number of charges, but there were at that stage 67 counts of fraud. As I say, they have now been upgraded.

The situation is very embarrassing for the government. The Employee Ombudsman is still there. He has not been into work since May 2013, but he is still being paid. He is still charged, now at an upgraded level, and so unsurprisingly this is a very embarrassing situation. That will follow its normal course through the courts, but it seems rather peculiar, to me anyway, that the government have been so silent in respect of the information surrounding this and have taken their time to abolish a position, if in fact they were satisfied that this work has not been undertaken at least for the last nearly two years where the ombudsman is continuing to be paid whilst under a cloud of criminal charges.

The second matter relates to the Industrial Relations Commission, and in this bill it is proposed that there will be an amendment to remove the requirement that the full court hearings include a commissioner. It is presented by the Minister for Industrial Relations as an amendment to give flexibility to the president to determine the number of commissioners to be on the panel. The president is Judge Hannon, and deputy president Judge McCusker and deputy president Bartel also comprise members of the commission. The two commissioners are Mr Steel and Mr McMahon.

As has been indicated, Mr Steel is to retire this month and, unsurprisingly, the indication by the government that they would not be replacing the commissioner has justified them, they say, in coming to the parliament to therefore change the terms of the commission. Obviously, if a situation were to occur where Mr McMahon gave a decision and there were to be a three-member commission convened for the purposes of reviewing Mr McMahon's determination, given that the rule requires a commissioner to be a member of the full commission hearing, which would have to be himself, he could not review his own decisions.

The alternative is, of course, that Mr Steel, upon his retirement, should be replaced and, if he is, whether the government follows the convention of the commissioner replacing Mr Steel as being one with some experience in respect of the business and employment world. That, unsurprisingly, has caused some tension amongst stakeholders about whether it is appropriate that they be left either with no representative on the commission or, in the alternative, with only an employee representative or nominee, in that sense. That issue does need to be resolved.

It is not surprising, of course, that already rumours have circulated as to who is to be appointed as a deputy president of the commission. My local Bragg constituent, the Hon. Don Farrell—I do not think he ever votes for me, but he is always welcome to live in my electorate—has of course been touted to be appointed. That does not really surprise me, of course. He does not have a job anymore.

He lost his spot in the Senate after he had done so wonderfully in allowing Penny Wong to take No. 1 on the ticket. It was such an act of chivalry, of course, and I suppose he has to be rewarded because his little attempt to come into the state parliament was sabotaged by the Premier's edict that he was not to come into the state parliament. I suppose he has to have something to do and it would not surprise me if it is intended that he be appointed.

But it just does not sit right, does it, that the government would rush in this bill and not mention in the second reading speech Mr Steel's intention to retire. It only becomes clear later on. Then we find out that there is movement to restructure, not for this flexibility nonsense but, in fact, to deal with the opportunity of accommodating their mates. The world has not changed in here, has it? It just never ceases to amaze me.

That is a matter that we do need to consider and, if the Industrial Relations Commission is to continue in its function, obviously we cannot have a situation where the composition of the full commission is compromised, but we do need to have some assurances from the government in respect of what is going to be happening for the representation on the commission and who it is they intend to make appointments for.

It is clear that it is up to the government. They are entitled to make these decisions. It is not within the purview of the parliament, but let us be honest about it. Do not come in here rushing something in at the end of the parliamentary session and ask us to acquiesce in its consideration for its early resolution and then not tell us the whole truth, because that is just not acceptable.

It always raises even more concern about the government's bona fides in respect of these matters. This is a bill to get rid of a major embarrassment for the government—namely, Mr Brennan—

and probably to make space for one of their other mates. No doubt it will get its passage through this house. We will see what happens in the other place.

The Hon. P. Caica: Thank God, Vickie, you've finished.

The SPEAKER: The member for Colton is called to order merely so that his interjection could be recorded in *Hansard*. The member for Hartley.

Mr TARZIA (Hartley) (11:28): I have a hypothetical question to start off my submission today: what does one have to do to get the sack under this government? I am happy to support the second reading of the bill in this house, but we on this side of the chamber will reserve our position on possible amendments and the third reading until after the bill is reintroduced in February next year.

In regard to Stephen Brennan, it is fair to say that the Office of the Employee Ombudsman has been mired in disgrace in recent times. The office was supposed to protect workers who were not members of unions in the private sector. What did the Labor Party do? It appointed a former union boss, Stephen Brennan, to run this particular office, and he was appointed not only once but twice by the government—once in 2006 and then in 2012.

The Labor Party, through its support of the commonwealth's Fair Work Act and Mr Brennan's alleged corruption, has certainly undermined the public's faith in the role of this ombudsman. It was supposed to be such an important role and do fundamental work for the transparency of this area.

What has Mr Brennan done? He has been charged with not one or two but 67 counts of fraud-related charges—67—and received a salary of some \$140,000 or so while in that role, and I believe he is still being paid. Taxpayers' money is being frittered away. It is being frittered away on Mr Brennan while he faces criminal charges.

It is not as if he is unwell or otherwise unable to perform his duties as a public official: he is simply, it is fair to say, a Labor stooge looked after by his Labor mates. Mr Rau has asked Mr Brennan to consider resignation, but I understand that as he has not been convicted of these offences there has been a refusal to sack him, despite 67 counts.

I note here that a number of stakeholder groups have backed the bill, including the Law Society. In relation to the composition of the full commission, the Law Society actually supports the proposed amendments, as it says it will assist in providing access to justice for litigants as greater flexibility will be available to the president of the commission to allow for the full commission to be more easily constituted.

In relation to the Industrial Relations Commission, the bill allows the government not to reappoint another commissioner to the commission after the retirement of David Steel this month. It is crucial that the composition of the new IRC has a commissioner from an employer group in order to provide balance to the IRC; it is important that balance is provided for. I note that section 39 has been vehemently opposed by groups like Business SA. I understand that the president of the IR Commission has close connections to the Labor Party, and I understand from what I am told that Karen Hannon was the Labor candidate for Adelaide in 1998.

The SPEAKER: You are correct.

Mr TARZIA: Thank you, sir. Sometimes, sir. The bill seeks to abolish the Office of the Employee Ombudsman and also to make changes to the requirements for constitution of the full commission to the IR Commission. The function of the ombudsman was, as I was referring to, originally designed for the former industrial relations system, where the state still had responsibility over the private sector. The intent was for that ombudsman to protect the interests of those workers in the private sector who were not members of unions. It is important that we protect workers who are not part of unions, as well as those who are.

Since the transfer of responsibility for the private sector to the national industrial relations system, the Employee Ombudsman has only had responsibility for the public sector and, I believe, local government. The budgeted cost for the Office of the Employee Ombudsman in 2014-15 was some \$507,000, for 5.3 full-time employees. At this stage, several stakeholders have responded in

relation to consultation on this bill, and I note that Business SA, WIA, AHA, MTA and the MBA stakeholders support the abolition of the position currently.

The current Industrial Relations Commission is comprised of the president, two deputy presidents and two commissioners. I am told that one of the two commissioners, David Steel, is retiring in December 2014. I commend the bill to the house, but I do note that we will on this side of the chamber reserve our position on possible amendments and the third reading until after the bill is reintroduced in February next year.

Mr KNOLL (Schubert) (11:33): I too rise to cautiously support the bill. It is, as has been said, a bill in two parts, the first of which is a hangover from the award modernisation process, as I understand it, where we seek to abolish the Employee Ombudsman and allow the commonwealth's Fair Work Ombudsman to take over jurisdiction of many of those matters—as has happened already.

Any measure seeking to streamline government and to help reduce the deficit is something that we on this side of the house applaud. There certainly need to be more of these measures put to parliament. I think our record on this over this term of government so far has been pretty good. We, as the loyal opposition, try to do what we can to alleviate the burden that exists on many South Australians as a result of this Labor government's inability to rein in its budget.

I have experienced both the Fair Work Ombudsman and the Industrial Relations Commission in my former life. The first part of this bill, relating to the abolition of the state Employee Ombudsman and allowing the commonwealth Fair Work Ombudsman to do its work, is a very good thing. The work of the Fair Work Ombudsman, from my firsthand experience, is quite impressive. In the times that I have had to be involved in the process, it was quite heartening to see the informal approach, the balanced approach, that the ombudsman and the mediator took, the quick way in which these things were resolved—and I think that is a very important part of the process.

The process was also extremely inexpensive and professional. I have to say that going through these processes is never easy and, indeed, the circumstances that generally bring around disputes between employers and employees is one where relationships are difficult and strained, and often as a result of some fairly difficult, murky and complex circumstances. The ability of an ombudsman to jump into the middle of that mess and to make a professional and concerted effort to reach a conciliated outcome is difficult, and it is one that I really do applaud. I applaud the Fair Work Ombudsman's record on this, certainly in my experience.

Disputes are resolved and can be conducted by employees and business owners themselves, and I think that is important. Not to 'lawyer bash' but a lot of the time with these matters it is the length of process and the investment of time that both sides take that leads to more protracted and difficult negotiations. Where a dispute resolution process is able to be conducted quickly and thoroughly and concluded quickly, you are more likely to get a balanced outcome that does not have both sides digging their heels in simply because they have come this far and they may as well go the rest of the process. That is certainly something that the Fair Work Ombudsman pushes, that early stage conciliation outcomes are pushed, and I think that is an extremely important thing.

I am a huge fan of this process. We often talk in this place about this mythical beast known as red tape—this thing that we all hate and rail against, that we very often struggle to identify in discrete opportunities and in discrete terms. The work of the Fair Work Ombudsman and the ability that they have to resolve disputes quickly is an example of where red tape is kept to a minimum, where it is kept at an appropriate level where the process is professional and thorough but not a process where it is drawn out and causes undue attention by either party to the dispute.

In industrial relations there are real disputes. There are vexatious employees, there are poor and unscrupulous employers, and there are people on both sides of these disputes who do not do themselves justice and they give rise to our needing to have strong legislation in this area to be able to mediate those disputes.

I also recognise that employers are in a position of power in a lot of instances. Having avenues like this for employees to be able to take disputes to is extremely important in making sure that there is balance and parity in the way that employee-employer relations are conducted, and they need to have a mechanism to work through that. They also need a mechanism to get at the heart and the truth of the matter as opposed to merely the 'he said-she said' that tends to evolve in a lot of

instances. This part of the bill I wholeheartedly support. The Liberal Party room supports it with certain reservations that we will discuss if they come to fruition in the other place.

The second part of the bill is an entirely different proposition. It seeks to change the make-up of the Industrial Relations Commission. My experience with the Industrial Relations Commission has not been as favourable, and it is amazing how a process that should otherwise be similar and complementary can lead to such a different outcome, a different experience, where the Industrial Relations Commission, in my view, is a much more bureaucratic process.

I pulled out the latest report of the Industrial Relations Commission and had a look at it. In 2013-14, 42 per cent of the claims (or 141 claims) were closed by consent at the commission stage; that is, at an early stage conciliation process, where both parties agree to settle the matter. Forty-eight per cent of the claims were closed by consent at the court stage; that is, where you go through the process of having a conciliation conference and then move onto a court process, but before the court process is finalised both parties, at that stage, agree to some sort of settlement. In 2013-14, only 10 per cent of claims (or 35 out of the 337 claims) were determined by the court.

Can I say, though, that the difference I found between the Fair Work Ombudsman and the Industrial Relations Commission is that, in the Fair Work Ombudsman's case, the ability to settle a claim is based around a mediator being able to make an assessment and go to both or either of the parties and say, 'I think that your position is weak. I think that you need to either abandon this claim or you need to settle this claim at a minimal cost to the other party.'

Having said that, I can say that my experiences with the Industrial Relations Commission are anything but. In discussions with some of my industrial colleagues, I understand that over 90 per cent of cases are found in favour of the employee. Basically, what that says to me is that at either the conciliation or at the court stage, by consent of both parties, the employer decides, 'It's not worth the hassle or the money to take this any further, and basically I'm going to pay whatever it takes to get the case closed and sent away.'

I had an experience in one case of what I will term a vexatious litigant, where I understand that we were about the third or fourth time this person had taken their employer to the Industrial Relations Commission. As an apprentice, this person took on an apprenticeship with this business and was at work for only 40 per cent of the time and, after 12 months of trying to deal with it, finally that person was terminated and then sought an unfair dismissal claim in the Industrial Relations Commission.

Even though that person had been at work for only 40 per cent of the time, even though there were documented warnings in a documented process that had been gone through to terminate the employee—all that was agreed as being very much within the realms of proper process to resolve a dispute like this—there was one piece of paperwork that was not filled in, and that was the paperwork that let the Training and Skills Commission (TAS) know prior to the termination that this employee was being terminated.

When an employee is an apprentice, what has to happen is that, before that employee is terminated, TAS needs to be notified that the apprenticeship is going to be terminated. Because that singular process was not followed, basically it was suggested, 'Well, you haven't ticked every single box, therefore you're going to have to pay money. Really, if you take this any further, we're going to be looking at these costs, you're going to be looking at this time delay. How much is it worth to you to make this thing go away?'

What I found extremely frustrating throughout all of that process was that the bureaucracy was used to favour one party over the other, that the process was used to favour one party over the other, as opposed to the spirit, which is very much the way I believe the Fair Work Ombudsman goes about things: they look at the spirit of the case and say, 'Is there a genuine claim here? Has the employer been unscrupulous, have they done the wrong thing and, if so, deal with it? Or is it a case where the employee is making a claim that is probably not as merit-based as it could be?'

In the case of the Industrial Relations Commission, the onus is always back on the employer to have every box ticked, and there is very little scrutiny on the employee at the early stage of the claim. It is not a case where you say, 'I've listened to your side, I've listened to their side and, on

balance, I probably think that you've got a stronger case, they've got a weaker case, or vice versa. This is what I think.' It is a case where they say, 'I'm not going to judge the validity of the claim that's before me, except to say, 'If you want to take this any further, go ahead, but you're going to be done over anyway, because the vast majority of claims are found in favour of the employee. Therefore, how much is it worth to you to make this thing go away?'

Throughout that process, not once is it ever mentioned what the true cost of the claim is. Not once is there ever an undertaking taken to try to understand what the true cost of the claim is, whether that be hardship to the employee, whether that be lost entitlements. Whatever it is, we are never dealing with reality.

What we are talking about is two parties who understand a negotiation process where it is not worth what it is worth in a true sense, or in a meritorious sense: it is what it is worth to make this thing go away, and I find that extremely frustrating and disgusting. I also understand that there is a fee that is paid by employees when they make a claim. I do understand that in the vast majority of cases this fee is then refunded through the settlement to the employee.

I understand that there should be a mechanism for that, and I am not disputing the need to have that mechanism in place because genuine claimants need to have the ability to bring cases forward without there being a strong financial penalty on them to do so. I support that wholeheartedly, but it is the way that the legislation is interpreted that I find means that vexatious claims are made and that people realise that it is a low-risk process for the employee to be involved with and a very high-risk process for the employer to be involved with. I think that is where the imbalance comes about.

The legislation we are talking about today seeks, I think, to create a further imbalance. It has been identified to us that the retiring commissioner is of an employer background, and I would hate to see the balance of the Industrial Relations Commission changed. We need there to be balance. We need for business to be able to grow and prosper in this state for there to be balance in this process so that we can look to—as the Fair Work Ombudsman's process does—reducing the amount of red tape and burden.

My comments today may be from one particular point of view, and that is my experience. But can I say that I am not here to be a shield for employer organisations; I am here to try to find the truth. I have seen firsthand what happens to employees when employers do not do the right thing. I have seen businesses in my industry that really do not do right by their people, and these processes are so necessary to hold these people to account. Having said that, we need to find better mechanisms to differentiate between those employers and the ones who are doing the right thing because what we are doing for that minority that does the wrong thing is creating a burden and unfair platform for the vast majority of employers who do the right thing and genuinely try to look after their employees and follow proper process.

With the proroguing of parliament, I very much look forward to the Governor's speech next year and our impending Address in Reply speeches, where we are undoubtedly going to talk about wanting to promote business in South Australia. I think we have seen the Premier come out and admit that the Labor Party has not always been the best friend of business and that maybe they need to repair that relationship. Can I say to members opposite that helping to redress the imbalance in the industrial relations system is one way that the government can be more of a friend to business.

It is not about taking away rights and obligations; it is about creating a process that is quicker, fairer, more balanced, more unbiased, and leads to better outcomes. It is only through that that we are really going to give business the real on-the-ground incentives and confidence to be able to grow, prosper and create more jobs, as opposed to mere rhetoric. We have seen that mere rhetoric has done very little to inspire business to invest in South Australia over the past decade.

To conclude, we are supporting this bill. I am very happy to support it at this stage, and I have very much enjoyed the opportunity to highlight some of the issues that I see in this process as we in this place work towards the betterment of the people of South Australia.

Mr PISONI (Unley) (11:48): I too speak to allow the passage of this bill through the House of Assembly. In doing so, I wanted to make the house aware of some circumstances, whether they be coincidental or deliberate, and of some experiences I have had with the Employee Ombudsman

over the years. The function of the Employee Ombudsman was originally designed for the former industrial relations system when the state still had responsibility for the private sector. The intention was that the Employee Ombudsman protect the interests of workers in the private sector who were not members of unions, and it used to work very well.

I can recall that in my own business I employed a French polisher who had a very nasty experience with a previous employer. That particular employee was from a non English-speaking background and not really able to challenge the former employer. I was very keen to help him get justice in this situation so we engaged the office. I am pleased to report to the house that we got a very good result and that several thousand dollars in underpaid wages were returned to the employee. My competitor, if you like, was not too happy with my involvement, but justice is justice and fairness is fairness, and it was a fantastic example of the office working well in dealing with such a matter.

We know that since the transfer of responsibility of the private sector to the national industrial relations system for all employees, bar those on the government payroll and those working for local government, that the commonwealth Fair Work Ombudsman now provides a similar service to private sector employees. The government also claims that there are various free and low-cost legal services available to the public and private sector employees. This office has a budget for 2014-15 of \$507,000 or 5.3 full-time staff.

However, when the report of the Ombudsman came out earlier this year I questioned the Minister for Industrial Relations why it was that media reports were telling us that Mr Brennan, the Employee Ombudsman, was still on the government payroll and still receiving a salary since May 2013 after the South Australian/Tasmanian branch of the textile union took civil action against Mr Brennan for misappropriation of funds. It claimed that up to \$180,000 had been defrauded from members between 1999 and 2004, just two years before Mr Brennan was appointed.

Mr Brennan, of course, did not appear on the list of employees, staff and administration under section 4 of the report. We saw Stephanie Burke, the Acting Employee Ombudsman, listed as an employee, and Andrew Farrell, who I believe is the brother of the infamous Don Farrell, a former senator and also the brother of Leonie Farrell, who is a deputy president of the Workers Compensation Tribunal—it is a nice little industry the Farrells have there, isn't it?

Ms Chapman: A family business.

Mr PISONI: A family business—appointments to government positions. I have also been made aware that not long after Mr Brennan stood down on full pay he was seen at a training course with Andrew Farrell. That is yet to be verified, but it is certainly information that has been given to me by those who attended that training course.

That raises other questions, of course, as to what sort of an organisation this is, run by this government. Was Mr Brennan's training course paid for by the government or by the taxpayers? What was he training for—was it a long and prosperous future as the state Employee Ombudsman or was it some other matter that he was training for?

I made reference to Leonie Farrell being appointed as a deputy president of the Workers Compensation Tribunal but, of course, we do have a balance in the government when it comes to appointments. The Farrell family is very closely associated with the right wing of the Labor Party and, of course, Stephen Lieschke was also a deputy president of that very same organisation, so we have a balance of the left and the right when it comes to the Labor Party appointments in those prized legal positions in South Australia.

Something else that pops up that would be of interest to members of the house is that Stephen Brennan was actually first appointed to a six-year term in 2006. What is interesting, according to media reports, is that Mr Brennan, who was secretary of the SA branch of the national textile union from 1991 (so for 16 years)—the SA branch merged with the New South Wales branch—

The SPEAKER: The Textile Clothing and Footwear Union (TCF).

Mr PISONI: Thank you very much, sir. It merged with the New South Wales branch in 2006. Oh, and guess what? Mr Brennan was appointed to the position of Employee Ombudsman in 2006.

Isn't that convenient? A very convenient appointment. So there was obviously some deal, which is how any layperson would read that. There may very well have been some deal: 'Look, we're having trouble. We know our membership is dropping off. Manufacturing is moving offshore. You don't have as many members but, look, you will have to merge because we have to consolidate our numbers on the floor of the Labor Party convention and make sure that we control the unruly right wing of the Labor Party.'

Even that is a questionable proposition because we know that the Tasmanian union was split between joining the left and the right. I think half of them joined the left and the other half joined the right, then back in 2012 I think there was some debate about whether they should shift allegiances to the right after initially joining the left. It is a very complex proposition. Of course, appointing Mr Brennan in 2006, at almost exactly the same time that his position was abolished in South Australia, was a very good way of managing union politics. The only problem is that the taxpaying people of South Australia got the bill.

Did they get value? Let me talk about an experience I had with the Employee Ombudsman back in October 2011. Those who have been in this house for some time will remember this particular story where the government was using children, who were under the age of 18, to go into delicatessens to ask for cigarettes. On radio, an officer of the Department for Health was asked a question by Leon Byner, 'Do you pay the children?' and the health bureaucrat said:

It's a volunteer scheme...we give them a gift voucher as a...return for their efforts...they're strictly not employees of the Department of Health, no.

I wrote to Mr Brennan to get clarification as to whether that was a legal act of the Department for Health. I wrote to Mr Brennan on 5 October 2011. I said:

I write regarding comments made by Minister Hill on radio this morning about young people employed by SA Health to attempt to buy cigarettes and test retailers' compliance with the ban on sales to minors.

On ABC radio the Minister claimed:

'We will be paying them whatever is appropriate to pay young people of that age to go into retail outlets and attempt to buy cigarettes, this was done in the past.'

I wish to advise you of previous claims about a similar scheme made by [a bureaucrat] on behalf of the Health Department on the 22nd of April 2008. [The bureaucrat's] comments suggest that these young people were employed in breach of South Australian industrial law.

Then there is that part of that interview with Leon Byner that I read earlier.

I ask if you can investigate [the bureaucrat's] claims that there has been a practice of giving gift vouchers to volunteers in the Health Department and if this practice is ongoing.

My understanding of industrial law in South Australia is that the statutes are limited to six years for those who have been underpaid to seek remedy.

I ask that an audit be conducted of those student volunteers, or others, who have accepted gift vouchers in 'return for their efforts' and any underpayment be immediately reimbursed by the Department.

About a week to 10 days after that I did in fact get a response from the Employee Ombudsman. The Employee Ombudsman said:

Thank you for your recent correspondence.

I appreciate your decision to raise with the Employee Ombudsman...the issue of arrangements between SA Health and young people associated with compliance assessments at retail outlets selling cigarettes.

I will in the near future be writing to the department asking them to explain the advice they have received in relation to this arrangement.

Provisionally, it is my considered opinion that this practice raises a number of questions in the context of workplace relations, occupational safety and ethical conduct.

I will be pleased to provide you with an update on this issue in due course.

This letter was dated 14 October 2011, and I am yet to receive a reply, an update, to that investigation. This was three years ago that I wrote to the Employee Ombudsman. He promised me that he would report back his investigation. I do not even know whether he actually did write to the

Department for Health or the minister to seek clarification about just what were the workplace practices for these underage stinger agents in the Department for Health.

I think it is fair to say that the position of Employee Ombudsman became untenable when this government decided it was going to be a place that would reward union hacks, who for some reason may have lost their position either through a factional brawl or through some other changes in the union movement that required the amalgamation of state branches with other branches, meaning fewer people working and fewer jobs available in the union movement. This government for years has been compliant in throwing taxpayers' money to union hacks, union staff members, to enable them to continue the standard of living that they have become accustomed to through their high union salaries, on to the public sector.

It is extraordinary, of course, and it seems, certainly to any outsider listening to this debate, that the government is in fact throwing the bathwater out with the baby in dealing with this. They obviously have a—

Mr Goldsworthy: It's throwing the baby out with the bathwater.

Mr PISONI: That is exactly the way I wanted to say it. They have a situation where they have the Employee Ombudsman, who is in an untenable position, still being paid an extraordinary salary of what would be about twice the average weekly earnings of anybody out there in the community in South Australia—being paid to do nothing. There is no obligation to serve the public, no obligation to even reply to my letter of three years ago, updating me on the outcome of his investigation into the use of underage stingers with the Department for Health.

It is a typical Labor Party response: rather than hold somebody responsible, hold somebody to account. What was the due diligence done? We all know that unions talk to each other. This is how the Labor Party established itself, this is how they do deals. When this guy was first appointed, did not anybody ask, 'Well, look, we're taking a risk here'? He has been running this organisation for 16 years, and he started at age 24: did not anybody ask questions within the organisation as to whether there was any concerns about this person being given this position? I would say that the answer was no, because they were much more interested in doing the deal with the New South Wales branch for harmony on the conference floor than there was in getting the right outcome for South Australian employees.

I think the fact that this position will be abolished still leaves the question: will Mr Brennan be paid out for the remainder of his six-year term, another four years of salary? Will that happen? Will the government put a mechanism in place to perhaps suspend any payment, subject to the outcome of the court case or the charges against Mr Brennan? I think we all live in a society where we all believe that people are innocent until proven guilty, but we do need to have a safety net in place to protect taxpayers' money. It would be untenable for this man to receive four years' salary and be found guilty of these charges and be able to keep that money; or the government spending money to try to recover those costs after the event.

I ask the Attorney-General whether he has considered some mechanism to be attached to this bill that would safeguard taxpayers' money in this case. We know it is an unusual situation. We know you cannot sack the Employee Ombudsman. Maybe that is the reason why you are getting rid of his—

Mr Knoll: You can, actually.

Mr PISONI: You can do it through a parliamentary process, and I do not think we were even asked to consider that, but we need to remember that Mr Brennan has been on full pay since May 2013, charges were laid in March 2014 and Mr Brennan has continued to receive his money. Basically, within 12 months of a six-year contract, South Australian taxpayers have not received any service or any benefit for the money that this man has been receiving.

On that note, I will leave those questions for the minister, whether he has given that some consideration, and, if he does not cover that in his reply to the second reading, maybe we can ask him those questions in committee.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations) (12:06): I thank those members who have contributed to the debate. I understand that there are a couple of issues here. This is a very simple piece of legislation which is intended to remedy a couple of matters which, in my view, are pretty self-evident. First, as to the matter of the position of the industrial commission, I am advised that the situation at present is as follows, and for those who are interested in this matter, here is the answer to the questions you have asked or were about to ask.

Commissioner McMahon, who is the surviving commissioner, has six matters either reserved for publication of a decision or yet to be heard. With the departure of Commissioner Steel, by reason of his age, Commissioner McMahon is likely to hear and decide an increasing number of matters. Therefore, given the fact that the composition of a full bench presently requires the inclusion of a commissioner, we have a problem; and we are seeking to rectify that problem in advance of it actually presenting itself.

The most expedient way to do that is to make it possible for a full bench to be composed of people who are not necessarily a commissioner but it can include deputy presidents. That will not involve us spending any more taxpayers' money, member for Unley, or appointing anybody to sit around for a large amount of time doing nothing at considerable expense to the taxpayer. It will mean that we are getting better value out of existing people because we will be making existing people have an additional office.

Mr Pisoni: What happens to Brennan's salary?

The Hon. J.R. RAU: Hang on, I'm not talking about him. I will get to that in a minute. That addresses the first point.

As to the second point, the member for Unley gave us a fairly lengthy dissertation, a sort of conspiracy theory. It reminded me of an occasion many years ago. I cannot remember exactly where it was, but I was overseas somewhere and there was a middle-aged American couple and the gentleman (who wore a pineapple shirt, a large camera around his neck and a hat with USS-something or other written on it) explained to me—I am not going to attempt to impersonate the accent—that the thing we had to watch out for was one-world government, and he then started to explain how the one-world government conspiracy was working its way around and had I noticed the volcanoes going off here and this and that and it all fitted together. I was not able to speak to him long enough to hear his version on trade unions and the illuminati. I can assure the member for Unley that he is worried unnecessarily, and I will go to the specific questions he has asked.

First of all, Mr Brennan is charged with offences. He has not been convicted of anything, and it would not be appropriate in my opinion for me to be prejudging that matter by coming to the parliament and seeking the resolution of both houses of parliament to remove him for proven misbehaviour in circumstances where there has been no proven misbehaviour. I have not done that because it is not appropriate for me to do that.

The second point is: what is the effect of the abolition of the job? The effect of the abolition of the job is, in my view, that the job no longer exists and any balance of tenure also does not exist; it is eliminated. Can I also say to the member for Unley, who invites me to actually find some way to ensure that there is no payout, as recently as the last week we were in here, and as recently as perhaps only seconds ago in another place, another bill in which I have sought to abolish another role, and in which I did insert a provision that did exactly that, has been the subject of criticism from your colleagues and from crossbenchers who say, 'How dare you interfere with anything?'

I am making the point, member for Unley, if you want that clause in, you got it. 'Anything you want, you got it.' That is a song, by the way. Anything you want on that score, you got it; okay? If you want to get your colleagues to insert it in other bills, you got it. To your request, the answer is yes, you got it, if you want it. The point is basically this: as far as I am concerned, if the position is abolished, given the fact that it is a statutory office, there is nothing for this person to do and that is an end to it, but I can assure the member for Unley that, if he wants that made even clearer, I am happy to oblige him.

Mr Pisoni: Well, you do it. First you need to put the amendments in.

The Hon. J.R. RAU: Well, I tell you what: I will put the amendments in. If the member for Unley can stand up here today in the committee stage and assure me that his party will support that in the other place, I would be happy to oblige him. In fact, we can move it in the other place together. The member for Unley and I can sit there and sing *Kumbaya* as one of each of our friends gets up and moves and seconds it, because I am fine with that—I am absolutely fine with that.

The other point I wanted to make was that, if the member for Unley is so offended by the notion that this person is continuing to draw a salary—and he points out how long he has been drawing a salary and how little he has been doing during that period—I am going to make another offer to the member for Unley. Here come the steak knives: I will ask my colleagues in the upper house to assist with the passage of this bill forthwith. As soon as we pass it here, I will ask my colleagues in the other place, in deference to the pleas of the member for Unley, which I have heard, acknowledge and agree with, to pass it straight away. We can get it through today, and I can have it gazetted on Thursday, so there is a challenge. It is all there. We are absolutely ready to go.

I have hopefully been able to assuage all of those concerns the member for Unley has about this. We will be able to move this quickly, if the member for Unley just speaks to his colleagues in the upper house and says to them, 'This is obvious.' It is obvious to the member for Unley. Whether that means it is equally obvious to some of the people in the other place is a bit hard to say because I have had different experiences with them but, if the member for Unley can convince them of that, he will have my complete cooperation and support. The government will assist in passing this bill this week. I cannot do better than that. How helpful can a person be?

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 5 passed.

Clause 6.

Ms CHAPMAN: This is the proposed reform with respect to the number of commissioners that are to be and the composition of commissioners under the Full Commission of the Industrial Court. At present, we have the imminent retirement of Commissioner Steel and, as the Attorney has explained, this is to accommodate the continued operation of the commission to deal with the circumstance where the remaining commissioner could not, of course, have his own appeals heard and therefore it needs amendment. My question is: have you had any discussions with representatives of the business community, and, if so, what is their view on these matters? I will say that I had asked for a list of consultation with employers and employees on this matter and it has not been forthcoming, when I had a briefing which otherwise was kindly provided on 24 November.

The Hon. J.R. RAU: The answer to the question is: I have not discussed this particular problem with employers or, I guess, for that matter, employees. We are presented with a technical problem here, which is that we are required to have a commissioner as well as deputy presidents on a bench. It is probably also worth mentioning that since the changes that had been made to the industrial relations scheme in this country by the former Howard government in WorkChoices, the residue of matters that still remain in the state system are essentially Public Service matters, whether that be state government or local government.

Therefore, to be speaking to employers about Public Service matters is really, I would have thought, not pertinent because they have no particular stake in that matter. The employers are local government and the state government, so there are no employers as such to be spoken to, other than the state government, which obviously supports this because we want this thing to be functional. Have I sat down and talked to local government at length about it? No, because I assume local government, like the state government, wants to be able to have a final resolution of any dispute that might require an appeal bench. So, that is the position with that.

Can I take this opportunity to also say that it is obvious to me, and it should be obvious to all members in this place, that the Industrial Court and commission as it is presently composed is, in some respects, a relic of the system that applied in this state prior to WorkChoices. Sooner or later

that has to be modernised and brought into contemporary context. One step in that direction occurred a few weeks ago when this place agreed to establish the South Australian Employment Tribunal. That may well have streams which are able to accommodate some of the functions presently discharged down at the Riverside building, but that is a matter for us to talk about in due course. At the moment, what we are trying to do is ensure that if there is a public sector appeal there is a bench to hear it, that is all.

Ms CHAPMAN: I take it then there has been no consultation, even with the LGA, which is the representative body for the 68 or 69 councils we have in South Australia (the employers)?

The Hon. J.R. RAU: I think that is what I said.

Ms CHAPMAN: No consultation with anybody?

The Hon. J.R. RAU: Can I just make this point: if you are told that, absent any action on your part, within a matter of weeks the possibility of having the arbitration of industrial disputes finally resolved in this state might be completely destroyed and you are given the option, in the short period of time that remains, to bring something to parliament to get approval to fix that up so that we do not run into that unacceptable position, the answer is so obvious, it is like the sun comes up in the morning and goes down in the evening sort of obvious. You do not spend all your time going off and having extensive consultations with people who will eventually grunt and say, 'Well, that's obvious.' Why would you do that? This is a self-evident, obvious, necessary way to prevent us being in the absurd position that we cannot have a matter resolved.

Ms CHAPMAN: Having not consulted with anybody, have any of the groups been in touch with you, Attorney, to indicate their disquiet about you not having an employer representative as per the current scheme under the act? They have certainly been in touch with us.

The Hon. J.R. RAU: Me, personally, no. I cannot imagine why any employer organisation would be interested in the matter except if they were interested in being able to foist a person into a relatively highly paid position where they will spend 60 or 70 per cent of their time doing Sudoku—

Mr Pisoni interjecting:

The Hon. J.R. RAU: —because the actual job does not exist anymore, which I am saying is not a good thing to do. Like the member for Unley, I am concerned about public money being wasted. I am not aware of any employer organisation having a response, and, if they did, it would be a completely irrelevant response because this does not affect them. They are all in the federal system. This is not the federal system.

If what they are doing is saying, 'Oh, an existing commissioner who has a notional connection originally in terms of his appointment to the employer side of the ledger is finishing up and we would like to be able to appoint somebody back into that position,' my response would be (a) that is a completely different conversation and (b) I do acknowledge, understand and appreciate that there was a long-standing arrangement whereby it would be one for you, one for you and one for you. I understand all of that. What I am saying is that we are now at the point where this whole arrangement up there is an historical artefact which is grinding to a halt, and, if we do not do this, it will grind to a halt completely—that is all.

If members of the opposition want to have a conversation about a bigger global reforming issue down there, I can assure them that early in the New Year we will have that conversation. We will have that conversation, in here. All I am trying to do now is fix this problem, that is all.

Ms CHAPMAN: Regarding the intention of the government to replace or add, at this point you say there will be no other appointments made to the Industrial Relations Commission?

The Hon. J.R. RAU: Absolutely; that is my position on this. First of all, there are two things that I intend to do. The first is to remove the requirement for there to be a commissioner, which means that we can have a full bench with deputy presidents. Secondly, if we are running short of deputy presidents, if I can find somebody else who is already an existing judicial officer, or suchlike, who is already appointed and is already getting a salary who does not also have a deputy president's hat to wear, and that person is competent and able to do so, I will give serious consideration to making them a deputy president as well—one or two of them, however many, if necessary. But I do

not see that as an end to this. What I am attempting to do is deal with the end of a system which was designed for a completely different time and place. I cannot go on appointing commissioners to sit there and deal with unfair dismissals and industrial disputes in the private sector that they do not hear. That would be silly.

Ms CHAPMAN: When did you appoint the last commissioner to the Industrial Relations Commission?

The Hon. J.R. RAU: It certainly was not in my time as minister. I am told 2008, 2009, something like that, so it is quite a while. There is absolutely no call for the appointment of a commissioner. The only thing I am trying to do here is stop us having to have a commissioner on the full bench, which will mean that we can use deputy presidents. If I run short of deputy presidents, I am minded to find a person or two people, or whatever, who are already drawing a salary and are not new appointees who have some level of competence in this area and might be able to wear a deputy president's hat on a part-time basis. They might even be, for example, people who are members of the federal commission or a federal tribunal. They do not have to be just state office bearers. That is the way I am looking at it. I am not interested in appointing somebody to a job which I know is not a job which should be—it is just not a big job anymore.

Mr KNOLL: In relation to this clause, there is a separate section 34(3) which provides:

A commissioner must be a person of standing in the community with experience in industrial affairs either through association with the interests of employees or through association with the interests of employers and the number of commissioners of the former class must be equal to, or differ by no more than one from, the number of commissioners of the latter class...

Do the amendments we have made here today conflict with that section of the act?

The Hon. J.R. RAU: An excellent question. I think the answer, is, happily, no. The question is based on the assumption that we are dealing with commissioners. The fact is that with this amendment we actually sidestep the whole issue of commissioners altogether; in effect, we are dealing with deputy presidents for full benches. There is no issue about appointment, and it does not say anything about changes in the composition of the deputy president cohort by reason of retirement. It talks about changes in the cohort of deputy president by reason of appointment.

I do not think anyone in this house, certainly not the member for Schubert, who has hitherto always impressed me as a very sensible person, would suggest that I should appoint someone to a position which all of us here know is not a position that warrants that appointment at the present time, having regard to the amount of work that is there. What I am trying to do is manage the existing system whilst working out how we will actually modernise the whole thing. As I said, that is a conversation we will have in this place next year, in my estimation.

Mr KNOLL: Just to clarify that, at the moment there are a number of commissioners and there is one retiring—

The Hon. J.R. Rau: There are two.

Mr KNOLL: There are two commissioners, and we are then going down to one commissioner? Okay.

Clause passed.

Clause 7.

Mr PISONI: I want to discuss the fate of the five employees who are listed in the Ombudsman's report: the acting Employee Ombudsman, the senior project officer, the client assessment officer, the office coordinator and the administration officer. Are they on contracts that will be immediately terminated after the abolition of the Employee Ombudsman? If so, will those contracts be honoured?

The Hon. J.R. RAU: Again, that is a good question. I am advised there are currently three employees in that area, which is equal to 2.5 full-time equivalents (obviously someone is doing part-time). They are public sector employees so, in effect, they will return to the Attorney-General's Department.

Mr PISONI: Can you clarify exactly what will happen to Mr Brennan and his salary at the abolition of this ombudsman?

The Hon. J.R. RAU: My understanding of the matter is that because he holds a statutory office and is appointed, I believe, by the Governor, upon the abolition of that office the office and all entitlements attached to the office vanish, and that should be an end to the matter. In other words, upon that occurring Mr Brennan ceases to hold that office and ceases to be able to draw a salary.

I picked up in the remarks made by the member for Unley before that the member would like to be more certain about that; I made the point in my earlier remarks that if the member would like to be more certain about that we could add in explicit words saying what I believe to be the case to be the case. I think that would be unnecessary, but I have no objection to doing that. I simply point out that when I tried to do that in respect of another matter only a week or so ago there was serious objection to that in another place and amendments were moved; but I am happy to accommodate the member for Unley on that. If the member for Unley's colleagues in the other place are happy to accept that proposition, it is fine by me.

Mr PISONI: I am still not clear. Will Mr Brennan receive any payout for compensation for the fact that his contract, which is due to expire in 2018, will no longer be valid? Will his wages cease immediately, and he will only be entitled to annual leave, superannuation, up until the date of the secession of the state ombudsman's office—

The Hon. J.R. Rau interjecting:

Mr PISONI: —hang on, let me finish—or will he be entitled to additional payments on top of what he is entitled to under standard industrial relations agreements?

The Hon. J.R. RAU: I think I answered that question in my last answer, so I repeat what I said before: in my view, he is not an employee, he is the holder of a statutory office. Upon the extinguishment of that office by the parliament everything to do with that office disappears, including the entitlement to draw any salary in respect of that position. If he has accrued holidays, or if he has accrued long service leave, or if he has accrued something else, of course that is an entitlement which predates the winding up of the office, and he would be entitled to have those things, but he would not be entitled to have any ongoing payment or compensation whatsoever.

If the member for Unley wants to put that explicitly beyond doubt, I am trying to say to the member for Unley I am fine about that. What I have told you is what I believe to be the case, but if the member for Unley wants that made absolutely clear in whatever piece of legislation passes through here, I am entirely relaxed about that; but, I caution the member for Unley that I tried to do something very much like that a little while ago, just to make it very really clear to everybody what was going on, and I got a lot of pushback somewhere else. If the member for Unley can fix that up, then you will not hear a peep out of me; I do not mind. My understanding is that that is what is going to happen anyway, but if it needs to be put in so many words, that is fine by me, no problem. But the problem is not with me, member for Unley; your problem is with people who sit in your party room—

Mr KNOLL: Point of order.

The Hon. J.R. RAU: —and who presently are disporting themselves on the red leather. That is the problem.

The CHAIR: The member for Schubert has a point of order.

Mr KNOLL: Is it proper that the Attorney is reflecting on other votes of this place?

The CHAIR: He's not reflecting on votes as such. Do you have a question, member for Unley?

Mr PISONI: I do. Are you able, then, to clarify for the committee, minister, whether there is in fact any break clause in Stephen Brennan's contract that enables him to claim additional payments on top of those that had accrued?

The Hon. J.R. RAU: As I understand it, I have not seen the paperwork for Mr Brennan, but as I understand it he has an appointment by the Governor. It appears in the *Gazette*, it is appointed for a term—that is it. That is my understanding of this.

Mr Pisoni: His term finishes in 2018.

The Hon. J.R. RAU: No; it finishes when his office is wound up. If there stops being a parliament, do you think if they are going to continue to pay you? No.

Mr Pisoni interjecting:

Mr Knoll: That wasn't the Queensland experience.

The Hon. T.R. Kenyon: Don't get all hopeful.

The Hon. J.R. RAU: Don't get hopeful—you're teasing us now. Look, back to the topic: when the music stops, that's it. As far as I am concerned, that's it. All I am trying to say to the member for Unley is that the member for Unley can be as perturbed about this as he likes, but I do not know what more I can do. I can say I honestly believe—and I believe it is the law—that if there is a statutory office, which I believe this to be, and if the person who is occupying the statutory office finds the office abolished, they are not appointed to anything anymore and therefore they are not paid by anybody for doing anything any more. End of story, finish.

If the member for Unley wants to make that even clearer than that, I am okay with that. I am really okay with that, so you do not have to keep asking me these questions. You can solve it if you want to. I am telling you it is okay, but do not take my word for it. Move an amendment up there this afternoon when it gets there. I will support you. Okay?

Mr PISONI: With all due respect, minister, you have not answered the question. Is there a break clause in the contract? Yes or no? It is a pretty simple question.

The Hon. J.R. RAU: I am wondering if I said this in French would it be more comprehensible.

Mr Knoll: Oui.

The Hon. J.R. RAU: Oui.

The CHAIR: 'Oui,' okay.

Mr Knoll: Non.

The Hon. J.R. RAU: 'Non' contract. I am not very good in French, but as far as I know there is no contract. I have not studied Mr Brennan's papers, but as far as I know he was appointed to a statutory office, and that occurs by reason of the Executive Council making a recommendation to the Governor. The Governor says 'Thank you, Executive Council. I'm going to sign this piece of paper.' He signs the piece of paper and the piece of paper then gets stuck on someone's wall. If the office gets abolished—which is what is contemplated here—that piece of paper means you are appointed to something that does not exist, and you do not get paid for being on something that does not exist. That is my understanding of it.

The CHAIR: Is this something that could be cleared up between the houses?

The Hon. J.R. RAU: No.

The CHAIR: Why not? You are only asking for a copy of how he was appointed.

The Hon. J.R. RAU: Sometimes it is hard to clear up stuff like the sun comes up in the morning and goes down in the evening.

The CHAIR: But surely a copy of his contract is enough.

The Hon. J.R. RAU: But there is no contract.

The CHAIR: Okay, that is the point.

The Hon. J.R. RAU: That is my understanding: there is no contract.

Ms CHAPMAN: Has the Attorney even made an inquiry about whether a contract exists? If not, can you do it right now? You have the officer sitting next to you.

The Hon. J.R. RAU: No, I have not because this person—and the member for Bragg knows this—is a statutory office holder.

Ms CHAPMAN: With respect, Attorney, in the other case which you keep trying to bring in as an example of why you would want to obliterate some entitlement in another appointment—

The Hon. J.R. RAU: It clarifies the fact that there is no entitlement.

Ms CHAPMAN: Indeed.

The Hon. J.R. RAU: It is not obliterated: it needs clarifying.

Ms CHAPMAN: Indeed, so the claim here is that Mr Brennan is there and only by way of statutory appointment by a decision of the cabinet which is then undertaken by the Governor.

The Hon. J.R. RAU: That is my understanding.

Ms CHAPMAN: I know. We are about to abolish this and you cannot tell the parliament whether, in fact, there is a contract as well in existence that confirms this six-year appointment.

The Hon. J.R. RAU: I am told there is no contract.

Ms CHAPMAN: Will you make some inquiry about whether there is any other term of appointment to answer the questions that would deal with severance or that payment?

The Hon. J.R. RAU: I will happily ask those questions, and if we can move this thing through I will have the answer between the houses. I make the offer again to the member for Unley that, irrespective of what the answer is to that question, if he wants to put provisions in this which make it absolutely watertight, airtight—

Mr Pisoni: You are in the *Hansard* guaranteeing that.

The Hon. J.R. RAU: Well, I am making you the offer.

Mr Pisoni: It's on *Hansard*. You said it.

The Hon. J.R. RAU: Okay, there you go.

Ms CHAPMAN: Aside from the Attorney's smart alec remarks about wanting to insert in the terms of the bill, consistent with what the member for Unley does, you know and I know that they are totally indistinguishable features. Mr Brennan is charged with multiple counts of embezzlement and theft.

The Hon. J.R. Rau: And not guilty.

Ms CHAPMAN: And not guilty of anything, I accept that. I have said that in my contribution—not that you listened. In any event, I do make the point that it is an entirely different situation. All we want to know is whether the appointment and the cessation will have a financial implication. Let's go back to May 2013, when Mr Brennan stood down from this position. My question is: did you ask him to and did you at the time ask him to resign, which is what you are reported in the press to have considered?

The Hon. J.R. RAU: As best I can recall, I did not have any direct conversation with Mr Brennan at all. I believe the chief executive of the Attorney-General's Department had some conversations with Mr Brennan regarding the appropriateness or otherwise of his continuing to act in his office having regard to the fact that there were matters live in the courts, but that is it as far as I know.

Ms CHAPMAN: It has gone off to *Hansard*, but the quotation I referred to in my second reading contribution was that you had indicated at the time that you considered Mr Brennan should resign—not just stand down, but should resign. Did you ask him to do that at any time?

The Hon. J.R. RAU: I think I just explained that I did not speak to Mr Brennan. If you are asking me now whether I believed that it would have been better for everybody had he made that decision, my answer to that question is: yes, I do, because I do not believe him being in that position and him sitting on a statutory scheme for a period of time and drawing a salary and not performing any function was good for anybody, including his staff. I thought that was a very unsatisfactory position, but did I speak to him about it? No.

Ms CHAPMAN: Having stated publicly that you think he should have resigned, and having acknowledged here today that you think that would have been a good thing to do and not pick up the package of \$180,000-odd a year ever since, why did you not ask him to resign? You are asking us to come in here, deal with this legislation quickly, get rid of an obsolete position, including a whole office, some of which will come back into your other part of the Attorney-General's office; I accept that. Why did you not at least ask him to resign? You said publicly that he should, you confirm again here today that he should. Why did you not at least pick up the phone and say, 'Look, mate, I think it's time you went'?

The Hon. J.R. RAU: The lines of reporting for these officers are that they report through the chief executive of the Attorney-General's Department to me. I do not make it my practice to interfere in those lines of reporting; in fact, in the circumstances, I thought my personal intervention in the matter by attempting to canvass what he should or should not do would be unhelpful and ill advised, and I continue to have that view.

The bottom line is this: this bill presents an opportunity for an end to the situation which I think everyone agrees is not desirable, where we have a person occupying a position which, but for either this bill passing or a conviction at some point in the future followed by some action by both houses of parliament, will continue to draw a salary in circumstances where I do not think anybody could possibly see that that is a good thing for anybody. I am simply offering the parliament an opportunity to resolve that matter here and now, this week, immediately.

Ms CHAPMAN: Why then, Attorney, did you make a public statement last year, if it is your view that you should not be interfering with these things, to the effect that he should consider resigning? If you were of that view, why did you not ask your chief executive, if that is the proper line of communication, to follow that up?

The Hon. J.R. RAU: This is really so tangential to what we have in front of us, but the point of the matter is this—

Mr Goldsworthy: It's germane.

The Hon. J.R. RAU: Germane! Hang on, has somebody got a thesaurus? I just want to make this clear: I do not run away from the fact that I think I might have been asked by the member for Bragg or somebody about what I thought about it, and I told everybody what I thought about it. But that is quite different from me picking up the phone and speaking to a statutory officer and, in effect, telling them, in circumstances where I have no capability of doing anything, short of there being a conviction, I guess. Why would I do that?

In any event, rightly or wrongly, I did not, but I made it quite clear when asked. I am not going to run away from the proposition that I think it is really great for a person to be sitting on a well-paid position and not doing anything. No, I do not think that is a good idea. I am not embarrassed about saying that; why should I be?

Ms CHAPMAN: So why have you not done this four years ago, pre the allegations that were being made and upon there being a change to the Fair Work laws to transfer all of the private sector to the federal arena?

The Hon. J.R. RAU: For some of us, things come to us more slowly. The members for Unley and Bragg probably worked this out some time ago. The member for Kavel and I took a little bit longer, but, here we are; we have now worked it out and we also—both of us, the member for Kavel and I—have been struck by the fact that this gentleman has been not acting in his role for some time.

One has to take into account that the position of the office has deteriorated, not for reasons of the 2½ or three employees who are there—they are decent people and they are doing their best; I am not reflecting on them at all—but the general lustre of the position has been, in my opinion, irretrievably damaged by the passage of time since he has been stood down, and that is it.

Mr Goldsworthy interjecting:

The CHAIR: Order! Member for Schubert.

Mr KNOLL: Attorney, are there any current matters before the Employee Ombudsman that will need to be transitioned somewhere else?

Mr Pisoni: Well, there's my matter.

The Hon. J.R. RAU: I am advised that it will depend on exactly when it finishes up. The Attorney-General's Department will discuss matters with those people and whatever needs to be done to accommodate any of those outstanding matters, including possibly the member for Unley's letter, will be attended to.

Clause passed.

Remaining clauses (8 to 17) and title passed.

Bill reported without amendment.

Third Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations) (12:45): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Resolutions

STATUTORY OFFICERS COMMITTEE

Consideration of the Legislative Council's resolution:

1. That this council—
 - (a) notes message No. 9 from the House of Assembly of 6 May 2014 advising of the appointments to the Statutory Officers Committee of the Hon. M.J. Atkinson, Hon. J.R. Rau and Mr Wingard;
 - (b) notes section 21(2)(e) of the Parliamentary Committees Act 1991 which states 'A person ceases to be a member of the Committee if the person...becomes a Minister of the Crown'; and
 - (c) invites the House of Assembly to reconsider the appointment of the Hon. J.R. Rau, Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development and Minister for Industrial Relations.
2. That a message be forwarded to the House of Assembly conveying this resolution.

(Continued from 7 August 2014.)

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations) (12:46): I move:

That a message be sent informing the Legislative Council that the House of Assembly notes the resolution of the Legislative Council and invites the Legislative Council to reconsider its apparently adverse reflection on the deliberations of the House of Assembly in appointing the Hon. J.R. Rau to the Statutory Officers Committee. Further, the House of Assembly invites the Legislative Council to reconsider inviting the House of Assembly to reconsider its appointment to the Statutory Officers Committee.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (12:47): I am surprised at some things in this house, but for the government to take the view that they want the Legislative Council to reconsider a motion which has been put I just find extraordinary when the Attorney-General himself is the one who is trying to hang on with grim death to be on this committee. The House of Assembly, with the government numbers, appointed the Attorney-General to be on this committee. For all the reasons which have been expanded in the debates in the other place that was seen to be inappropriate.

Whilst the legislative framework which relates to those who sit on the Statutory Officers Committee is silent in respect of whether a minister of the Crown can or cannot be on it, clearly,

within the statements made by this government, and in particular through the Governor's speech upon the appointment of the new government, which said:

My Government will act so that any perception of impropriety is not hidden in the shadows—and we will deal decisively with those who have sought to benefit personally from corrupt practices.

To strengthen our democracy, all political parties must act to ensure that their internal processes are transparent and democratic.

As has been canvassed in the other place, clearly we have a situation where the Attorney-General (as if he has not got enough to do) suddenly wants to be on the Statutory Officers Committee to pursue the management, obviously, of statutory officers. The complication comes and the confrontation to or assault on the independence of this is because statutory officers are appointed usually by the parliament on recommendations where the Attorney-General has a role in what he puts either to his cabinet or to this parliament.

If this government were genuine in its attempts to be transparent, then it would let the Statutory Officers Committee of this parliament be free of the potential interference or influence of a minister of the Crown. I do not actually make a direct reflection on the Attorney-General. He happens to be the one who is nominated to be on this committee, but it should be a circumstance where there is no appointment of a minister of the Crown who otherwise has a role in the nomination or appointment of statutory officers.

I am just stunned that the Attorney-General would want to hang on to this like grim death. It does not sit with his own government's statements of transparency and the democratic process as have been clearly outlined by the Premier to ensure there is not only independence but at least an attempt to be seen to be independent.

It is very disappointing that the Attorney takes this view. We do not have the numbers to stop him putting a motion that this be returned to the Legislative Council, but it is, in my view, inappropriate and unnecessary, and he ought to reread the contributions made by members in the other place if he is in any way to look like he is sitting in a government that is transparent and independent and respects those two institutions.

Motion carried.

Sitting suspended from 12:52 to 14:00.

Petitions

PORT ADELAIDE MAGISTRATES COURT

The Hon. S.E. CLOSE (Port Adelaide—Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for the Public Sector): Presented a petition signed by 1,062 residents of the City of Port Adelaide Enfield and greater South Australia requesting the house to urge the government to take immediate action to have the state Courts Administration Authority reconsider and reverse its decision to close the Magistrates Court at Port Adelaide and take into account the broader implications of the move.

Ms Chapman interjecting:

The SPEAKER: Be careful what you wish for.

Parliamentary Procedure

ANSWERS TABLED

The SPEAKER: I direct that the written answers to questions be distributed and printed in *Hansard*.

PAPERS

The following papers were laid on the table:

By the Speaker—

Local Government Annual Reports—

Barossa Council Annual Report 2013-14
 City of Port Lincoln Annual Report 2013-14
 Clare and Gilbert Valleys Council Annual Report 2013-14
 District Council of Franklin Harbour Annual Report 2013-14
 District Council of Lower Eyre Peninsula Annual Report 2013-14
 District Council of Streaky Bay Annual Report 2013-14
 Goyder Regional Council Annual Report 2013-14
 Holdfast Bay Council Annual Report 2013-14
 Port Pirie Regional Council Annual Report 2013-14
 Renmark Paringa Council Annual Report 2013-14
 Wakefield Regional Council Annual Report 2013-14
 Wudinna District Council Annual Report 2013-14

By the Premier (Hon. J.W. Weatherill)—

ANZAC Day Commemoration Council—Annual Report 2013-14

By the Attorney-General (Hon. J.R. Rau)—

Legal Practitioners Education and Admission Council—Annual Report 2013-14
 Professional Standards Councils—Annual Report 2013-14

By the Minister for Education and Child Development (Hon. J.M. Rankine)—

Regulations made under the following Act—
 SACE Board of South Australia—Interpretation

By the Minister for Disabilities (Hon. A. Piccolo)—

Regulations made under the following Act—
 Liquor Licensing—Dry Areas—Strathalbyn

By the Minister for Agriculture, Food and Fisheries (Hon. L.W. Bignell)—

South Australian Commercial Northern Zone Rock Lobster Fishery Management Plan—
 14 November 2013
 Response by the Government—Sustainable Farming Practices—Final

By the Minister for Local Government (Hon. G.G. Brock)—

Outback Communities Authority—Annual Report 2012-13
 Regulations made under the following Act—
 Local Government—Training and Development

By the Minister for Manufacturing and Innovation (Hon. S.E. Close)—

Regulations made under the following Acts—
 National Parks and Wildlife—Ngaut Ngaut Conservation Park

By the Minister for Transport and Infrastructure (Hon. S.C. Mullighan)—

AustralAsia Railway Corporation—Annual Report 2013-14
 Regulations made under the following Act—
 Motor Vehicles—Fees

Condolence

CONDOLENCES

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:03): On indulgence, I believe it is appropriate that we acknowledge the sadness that has touched our state in various ways in

recent times. Our state—indeed, the nation—has been shocked and saddened by the death of cricketer Phil Hughes after a tragic on-field accident while playing for South Australia last week. On behalf of all members, I offer our sincere sympathies to Phil's family and friends. Phil was particularly looked up to by young South Australians who will be struggling with the loss of one of their sporting heroes, and we share the sadness of Phil's family, team mates and the broader cricketing community. I understand the minister will be saying something more about that a little later.

I also offer our deepest sympathies to the family, friends and workmates of Jorge Castillo-Riffo who was tragically killed in an industrial accident last week. Mr Castillo-Riffo was working on the construction of the new Royal Adelaide Hospital. His death is a sobering reminder of the reality of workplace deaths of which there have been 12 in South Australia just this year. It is a reminder of the need for vigilance in regard to workplace safety.

Similarly, we received an unwelcome reminder of the dangers on our roads with the loss of Joshua, Jessica and Michelle Doyle, and Bev Khan, in a road accident in the state's South-East yesterday. Any road fatality hurts a community but, when four people are lost from one family, it has a devastating impact. As we approach the holiday season, we must all redouble our efforts to stay safe on our roads.

I also acknowledge the passing of one of this state's most highly regarded trailblazers for women. Mrs Heather Southcott, a former member of the House of Assembly, passed away on Friday 21 November. Heather was the first woman to lead a political party in Australia, adding yet another page to South Australia's role as a leader in the history of parliamentary representation for women.

Notably, Heather Southcott was one of the women who established the now renowned UNIFEM Breakfast, a significant national event on the women's movement calendar. As a former member of this chamber, the house will mark her passing with a condolence motion to be held at the start of question time on Thursday. Ministers will be making full tributes to Phillip Hughes, Jorge Castillo-Riffo and Heather Southcott here and in the other place.

Ministerial Statement

CLEAN ENERGY SUMMIT

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:05): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: Yesterday, around 70 industry and community leaders joined me right here in this chamber for an emergency summit on the future of clean energy. The summit was called on the back of continuing uncertainty arising from the Warburton review and statements made by the Abbott government that suggest a departure from the current renewable energy target after more than a decade of bipartisan support.

As many in this place would already know, the clean energy sector is extraordinarily important. In South Australia, the sector has generated many billions of dollars of investment and supports thousands of jobs, including many in regional communities. However, this sector has not simply developed overnight; it has grown only as a result of conscious efforts over many years—efforts that have recognised the potential that a viable clean energy industry presents both domestically and, in the long term, internationally.

At yesterday's summit, we heard from former Liberal leader Dr John Hewson of the dramatic impact that policy uncertainty has created for clean energy investment, with renewable energy investment now back to the levels it was at in 2001 before the introduction of the RET. We heard from Professor Ross Garnaut, who outlined that any move from the RET would leave Australia an international laughing-stock, and that due to our natural advantages, the widespread use of renewables would create competitive cost advantages for Australian industry.

We heard from the CEO of the Clean Energy Council, Kane Thornton, who highlighted the impact that existing uncertainty is placing on more than 20,000 people who work in this sector and their families. We have heard of the risk that this threat of change presents to foreign investment in

our country, of how any change to the renewable energy target is tantamount to sovereign risk—a risk so great it could contaminate foreign investment in other sectors, driving foreign capital away from our shores.

All that we heard concerns me greatly. I am told of the potential that the clean energy industry has to simulate new advanced manufacturing opportunities in South Australia, where we compete on know-how rather than cost. I am told of the thousands of jobs in regional communities that would flow from the billions of dollars of investments that would result from the continuation of the renewable energy target. The Abbott government now has a choice, much like prime minister Howard had when he introduced the RET; however, unlike prime minister Howard, the present choice is much clearer. In the words of Dr Hewson, 'This is one barnacle that Mr Abbott could easily scrape off.'

I now table the communiqué agreed as an outcome of the summit, and I encourage all those in this chamber to lend their support to this cause.

SOUTH-EAST ASIA TRADE

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:08): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: I spent three days at the end of last week in Singapore and Malaysia, meeting with potential investors in South Australia and promoting trade with South-East Asia. South Australia's Economic Development Board also held a joint sitting with its Singaporean counterpart as part of a three-day South Australian trade and investment mission. I was joined on the mission by three members of the Economic Development Board, as well as Air Chief Marshal Angus Houston and international engagement adviser and economist Tim Harcourt. The three-day trip to Singapore involved 20 meetings and functions, primarily focused on defence, agribusiness and tourism.

Having just landed in Singapore on Thursday morning, I was amazed to read in the Singapore daily newspaper, *The Straits Times*, a story about Australia's defence minister, David Johnston. Here I am, leading a mission to attract more investment in the defence sector to South Australia, and where Singapore's media is covering Australia it is all about the defence minister talking down the capability of Australia's defence industry and undermining the credibility of South Australian workers. It is a reflection of the Liberal Party's ongoing determination to put politics ahead of the interests of South Australia. Importantly, I was—

Members interjecting:

The Hon. J.W. WEATHERILL: Importantly, I was able to correct the record and highlight the accomplishments of the ASC and the important future role South Australia can play as Australia's defence state.

I was able to again meet Singaporean President Tan after his visit to Adelaide in June, as well as Deputy Prime Minister, Mr Teo Chee Hean, and trade and industry minister, Mr Lim Hng Kiang, as well as Singapore Public Service Commission Chairman, Eddie Teo. Three of those four gentlemen are graduates from the University of Adelaide.

South Australia's fast-growing economies are the focus of a new engagement strategy launched by the South Australian government in June. In the 2014-15 state budget, \$1.1 million was dedicated to develop this strategy. The Singaporean Economic Development Board and sovereign wealth funds are regarded as world leading in their work.

This visit was about establishing a close relationship between the Singapore EDB and our own EDB to grow our trade and investment in the region. During the visit, I was able to host functions with and gain direct feedback on our strategy from a number of Australian businesses operating in Singapore.

The SPEAKER: The Treasurer will stop gesturing to the leader. Does the member for Hammond want me to eject people from the chamber on the basis of a call to order—because I can do that?

Mr Pederick: Just the Treasurer, sir.

The SPEAKER: So this isn't a normative suggestion?

Mr Pederick: It's a cumulative suggestion, sir.

The SPEAKER: It's an ad hominem suggestion, thank you. No, I will not be accepting it, but I do call the Treasurer to order.

Parliamentary Committees

STATUTORY OFFICERS COMMITTEE

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations) (14:12): I bring up the report of the committee, entitled Appointment of the Ombudsman, and move that it be received. Mr Speaker, you will have to wait a little while longer for that one I am told, so I will do another one.

The SPEAKER: Who has the report currently?

The Hon. J.R. RAU: I beg your pardon?

The SPEAKER: You do not have it?

The Hon. J.R. RAU: No, I have been asked to build the anticipation by leaving it until slightly later in proceedings.

The SPEAKER: I see. I am sorry; I thought the Deputy Premier had given away to one of the attendants what he was about to read. I am mistaken.

The Hon. J.R. RAU: I did.

The SPEAKER: You did do that, excellent, but it will return in due course.

The Hon. J.R. RAU: I hope it will come back in due course.

The SPEAKER: Splendid. The member for Morialta has raised with me a point, and that is that the Premier, in giving notice as part of his ministerial statement, I should have asked whether leave was granted for him to—

The Hon. J.W. WEATHERILL: I think I sought leave in error. I am giving notice that I move a motion—

The SPEAKER: Just giving notice, splendid, good.

Ministerial Statement

ROYAL ADELAIDE HOSPITAL CONSTRUCTION SITE INCIDENT

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:14): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.J. SNELLING: As members are aware, a tragic workplace incident occurred at the new Royal Adelaide Hospital site on 27 November. Mr Jorge Castillo-Riffo passed away from injuries sustained in an incident involving a lifting platform. I wish to express my sincere condolences to the family and friends of Mr Castillo-Riffo as they come to terms with this terrible tragedy. Our thoughts and prayers are with them at this time. Our thoughts and prayers are also with Mr Castillo-Riffo's co-workers as they return to the site this morning.

SafeWork SA is continuing its investigation into the incident, and I am advised that additional inspectors will be on site from today to maintain an active and visible presence. While SafeWork SA's investigation into this incident is ongoing, I advise the house that I met with the builder last Thursday and made it clear that worker safety is of paramount importance to the government. I expect the

builder to comply with all the requirements of the Work Health and Safety Act 2012 and not to cut any corners during construction.

Once again, I express, on behalf of the government, our deepest sympathy to the family and friends of Jorge Castillo-Riffo.

ADELAIDE UNIVERSITY DENTAL CLINIC

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:15): I seek leave to make another ministerial statement.

Leave granted.

The Hon. J.J. SNELLING: Today, I announce that SA Health will enter into a new partnership with the University of Adelaide to deliver a new, state-of-the-art, 90-chair dental clinic where students can complete their training alongside skilled dental experts and the public can access high-quality dental care. The new clinic is expected to open in July 2017 and will be located within the University of Adelaide's new clinical building situated at the SA Health and Biomedical Precinct. It will sit alongside the new Royal Adelaide Hospital and the SAHMRI, and will ensure dental services are an integral part of our state's emerging health hub.

Access to public services will be boosted by dental student clinical placements running for 48 weeks of the year. This is an increase of 18 weeks from the previous arrangement. There is also the opportunity to negotiate further use of the chairs, either after hours or on weekends, to increase capacity and enable more patients to be seen at the Adelaide Dental Hospital and in community and country clinics. The agreement includes the provision of two new dental scholarships to encourage students to train in rural areas and consider further employment opportunities in country locations—great news for the dental waiting list in regional South Australia.

This new partnership has been reached following an extensive proposal process aimed at ensuring public dental resources are used in the most effective way and the best outcome for public dental patients. The process was opened to all higher education providers in June and resulted in two extremely high-quality submissions. I thank both the University of Adelaide and the University of South Australia for participating in the process. In particular, I thank David Lloyd, from the University of South Australia, and Warren Bebbington and Kaye Roberts-Thomson, from the University of Adelaide, for their constructive participation in the process.

The government looks forward to working together with the University of Adelaide in training our oral health workforce of the future, and providing a quality and efficient public dental service to public dental patients.

HUGHES, PHILLIP

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (14:19): I seek leave to make a ministerial statement.

Leave granted.

The Hon. L.W.K. BIGNELL: It is with deep sadness, on behalf of this house, that we pay tribute to Australian cricketer Phillip Hughes. Phillip passed away at Sydney's St Vincent's Hospital last Thursday as a result of injuries sustained in a tragic accident while playing for South Australia in the Sheffield Shield game against New South Wales at the SCG. Our deepest sympathy is extended to his father Greg, mother Virginia, brother Jason and sister Megan. Our thoughts are also with Phillip's state and national team mates, the South Australian Cricket Association and cricket players and fans around the world.

Phillip Hughes died just three days short of his 26th birthday. He made his test debut in 2009 and played 26 matches for Australia, averaging 32.65, including three test centuries. He was the youngest ever player to score back-to-back centuries in the same match. That was during the second test against South Africa in Durban in 2009. He scored 115 in the first innings and 160 in the second, guiding Australia to a 175-run victory. At that time he was only 20 years old and was playing in just

his second test. His prodigious talent was on show again in January 2013 when he became the first Australian batsman in one-day international history to score a century on debut.

Phillip Hughes, beloved son, brother, friend, teammate and hero to many, was a cherished member of the Australian, New South Wales, South Australian and Adelaide Strikers teams. He also played county cricket in England and in the Indian Premier League. Born in Macksville, a small town in New South Wales, Hughes played his junior cricket for Macksville RSL Cricket Club and excelled. He was playing A grade at the age of 12.

News of his tragic death has united the sporting world in grief, and the tributes continue to flow from all quarters of the globe for this young man taken too soon. He epitomised the baggy green, what it stands for and what it means to all cricketers, young and old. Few are chosen to wear this Australian symbol of cricketing greatness but Phillip Hughes will be remembered to have worn his cap, Australian player No. 408, with honour and with pride. In a mark of respect and at the request of Captain Michael Clarke, Cricket Australia has agreed to retire Phillip's one-day international shirt carrying the number 64.

Phillip Hughes was 63 not out on that fateful day last week. One of the finest and most moving tributes we have seen for Phillip Hughes has come from our children, with many young players deciding to retire at 63 not out during last weekend's matches. I know anyone who was out watching country and suburban cricket last weekend would have seen the kids lining up before the game with the number 63 painted on many of the grounds and black armbands worn. People like Luke Goodieson, a young fellow playing under 14s for McLaren Districts was one of those kids, who I know very well. He scored 63 not out and walked back to the sheds in a tribute, like so many young Australians, for a fine outstanding cricketer. Phillip Hughes loved playing for his country and will be forever remembered. In his own words, 'Where would you rather be, boys, than playing cricket for your country?'

The funeral for Phillip will be held in Macksville, New South Wales tomorrow. The service will be televised live around the country by the Nine Network and will be streamed into the Adelaide Oval from 1.30pm. The service will be played on the big screen so all South Australians have the opportunity to be united in honouring Phillip and his life at the home of the West End Redbacks.

Cricket Australia today announced revised dates for the Commonwealth Bank series. Adelaide will now host the first test from next Tuesday through until Saturday 13 December. Hosting of the first test in Adelaide is by design, with Cricket Australia believing it is fitting that it should be played on Phillip Hughes' adopted home ground, where it is hoped the match will be seen as a celebration of his life and how much he is loved by South Australians.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

Mr ODENWALDER (Little Para) (14:24): I bring up the report of the committee, entitled Partial Defence of Provocation.

Report received.

PUBLIC WORKS COMMITTEE

Ms DIGANCE (Elder) (14:24): I bring up the 508th report of the committee, entitled Regional Visit to the Riverland 9-10 September 2014.

Report received and ordered to be published.

SOCIAL DEVELOPMENT COMMITTEE

Ms HILDYARD (Reynell) (14:25): I bring up the report of the committee, entitled Review of the Statutes Amendment (Recidivist Young Offenders and Youth Parole Board) Act 2009.

Report received.

STATUTORY OFFICERS COMMITTEE

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations) (14:26): I bring up the report of the committee, entitled Appointment of the Ombudsman.

Report received.

Question Time

WATER PRICING

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:26): My question is to the Premier. In light of Dr Paul Kerin's recent comments, will the Premier now admit that South Australians are paying hundreds of millions of dollars more for water than they should be?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:26): I welcome the opportunity to correct the confused and misleading statements Dr Kerin made to the Budget and Finance Committee last Friday concerning SA Water's—

Mr Whetstone interjecting:

The SPEAKER: The member for Chaffey is called to order.

Mr Tarzia interjecting:

The SPEAKER: The member for Hartley is called to order.

Ms Redmond: He thinks it's funny.

The SPEAKER: The member for Heysen is called to order.

Mr Gardner interjecting:

The SPEAKER: The member for Morialta is called to order.

The Hon. A. KOUTSANTONIS: —profitability and appropriate role for the economic regulator ESCOSA. In considering the issues that have been raised, it is important to understand the framework through which the government makes its decisions. The primary guiding principle for economic regulation is that prices should be set at a level which generates revenue sufficient to cover the efficient operating cost.

Ms Chapman interjecting:

The SPEAKER: The deputy leader is called to order.

The Hon. A. KOUTSANTONIS: It includes a market-based return on the assets that are required to efficiently deliver the services provided. If prices are set below this level, then there is insufficient incentive for the service provider to deliver services to an acceptable standard for the quantity, which would not be in the long-term interests of the consumers. In the case of SA Water, charges faced by customers would be higher if it was not for a range of taxpayer-funded subsidies such as a community service obligation for the additional costs above the metropolitan cost of supplying water and sewerage to country regions worth around, sir, \$107.6 million. Your voters, your constituents, your electorates—we subsidise them, and you want to take it away.

The SPEAKER: The Treasurer, much as he believes that he cannot be called to order or warned in the course of his answer, will address the Chair. I presume he was not addressing the Chair. He was not referring to Croydon electors, and so he is called to order. It is not Glendi now.

The Hon. A. KOUTSANTONIS: I'm not sure what the reference means, sir, but I'll take it on the chin anyway—concessions for pensioners worth around \$46 million per annum and investments made to secure the state's long-term water security.

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: Hang on a second, desperate man. Water bills in South Australia are higher than those in the Eastern States which reflects the high cost of providing water due to our climatic and geographical circumstances, that is, we are the driest state in the driest country in the world. Rainfall is lower and the natural catchment capacity is limited to around 60 per cent of annual demand. The additional capacity must be piped long distances from the River Murray or produced from the desalination plant, both of which incur additional costs.

What Dr Kerin actually wants is for taxpayer subsidies to be increased so that water prices can be lowered. Critically I need to say right here and now that that is not a decision for an independent regulator but one that can only be made by the elected government and the parliament. Dr Kerin was not, and is certainly not, in a position to reach judgements about difficult budget trade-offs. It is not his role; it is the government's role.

Let's consider those budget trade-offs. What would be needed to achieve the taxpayer subsidies that Dr Kerin is recommending in his remarks to Budget and Finance? To fund the \$150 million that he proposes taxpayer subsidies should be increased by will require an increase to payroll tax from 4.95 per cent to 5.6 per cent, a 41 per cent increase in private land tax collections or a reduction in nearly 1,700 FTEs across the public sector.

I again reiterate that these decisions are not for the regulator. Dr Kerin raised the issue of water demand forecast implying that his preferred option—

Members interjecting:

The Hon. A. KOUTSANTONIS: Oh okay, you don't want the answer.

The SPEAKER: Supplementary.

WATER PRICING

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:31): What methodology does the government use to determine the regulated asset base here in South Australia?

Ms Chapman interjecting:

The SPEAKER: The deputy leader is warned.

Mr Marshall interjecting:

The SPEAKER: The leader is called to order for sharing the offence of the deputy leader.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:32): Dr Kerin raised the issue of water demand forecast implying that his preferred options of 173 gigalitres for 2013 should have been used rather than the 190 gigalitre predictions adopted by the government.

Ms Chapman interjecting:

The Hon. A. KOUTSANTONIS: You'll be asking this next; you are so predictable.

The SPEAKER: The Treasurer is warned for responding to interjections and not addressing his remarks through the Chair.

The Hon. A. KOUTSANTONIS: Thank you, sir, so you will be warning the interjector as well?

The SPEAKER: I already have in the instant before I warned you.

The Hon. A. KOUTSANTONIS: The experience of the last two years confirms that the projections adopted have been more accurate.

Ms Chapman: The asset base.

The Hon. A. KOUTSANTONIS: I'm getting to that. The average consumption of the last two years was 188.5 gigalitres—

Mr MARSHALL: Point of order: standing order 98, relevance.

The Hon. A. KOUTSANTONIS: They don't want the answer.

Mr MARSHALL: It was about the regulated asset base not about the demand. He is reading off the script, sir, and the script is wrong. This is about the regulated asset base.

The SPEAKER: That is very close to turning a point of order into an impromptu speech and we all know the consequences of that. I will listen carefully to the Treasurer.

The Hon. A. KOUTSANTONIS: The experience of the last two years confirms that the projections adopted have been accurate. The average consumption for the last two years—

Mr MARSHALL: Point of order, sir: I ask you to rule on relevance, standing order 98.

The SPEAKER: Would you care to repeat the question?

Mr MARSHALL: What methodology does the government use to determine the regulated asset base here in South Australia?

The SPEAKER: So we have moved on from that carefully constructed first question, 'Will the Premier now admit?' to 'What methodology?' Treasurer—to your text.

The Hon. A. KOUTSANTONIS: Yes, sir. Under previous governments, South Australia—

Ms Chapman interjecting:

The Hon. A. KOUTSANTONIS: Calm down—suffered from a lack of significant investment in water infrastructure. The asset base at the time was set on accounting values based around replacement cost. These were calculated by SA Water, as they still are. Ironically, given the amount of criticism levelled at the government by the opposition, their method of calculating water asset base for the state was, although not subjected to our regulatory controls, essentially the same as the current method. It is the same method the Liberal Party used when they were in office—exactly the same. You have to ask yourself how little does the opposition know about this process.

The previous Liberal government was doing such a fine job of actually setting the prices base and the assets base that, in 2001, the National Competition Council noted that the transparency of the pricing process was an issue of concern. It was this government that undertook to address the issue with the inception of the transparency statement, a process in 2004-05—

Mr MARSHALL: Point of order: 98, sir.

The SPEAKER: No, I think the Treasurer is about the mark.

Mr Marshall interjecting:

The Hon. A. KOUTSANTONIS: I know you're having a bad year.

Members interjecting:

The Hon. A. KOUTSANTONIS: That's alright—you are now the most senior opposition Liberal leader in the country. You can now boss around whoever gets in in Victoria.

Ms CHAPMAN: Point of order.

The SPEAKER: Point of order.

Ms CHAPMAN: We may want to welcome you into our side of the house, but you are clearly not the most senior Liberal leader in the country. That is what he is addressing you as.

The Hon. A. KOUTSANTONIS: He's got more seniority than anyone else.

The SPEAKER: The Treasurer, alas, has to be warned for the second and final time. It would be a real pity if, under the sessional orders, the Treasurer departed the house on only the second question, because I am sure the opposition has a lot of other questions for him.

The Hon. A. KOUTSANTONIS: It was this government that undertook to address the issue with the inception of a transparency statement process in 2004-05 and commence the transition towards the regulatory practice that we have in place now. Since then, the regulatory asset base for SA Water has been set in accordance with accepted regulatory principles. Furthermore, we are

adhering to national competition policy objectives that the government should run its businesses the same way as the private sector does, and that is, to earn a rate of return. And who began that principle? Malcolm Turnbull as water minister—Malcolm Turnbull.

At the point of fully transitioning regulatory powers to ESCOSA in 2013-14 when the first pricing determination was underway, the regulatory asset base was reconsidered and set to minimise revenue and pricing impacts on any changing methods. This has been done for a range of industries around Australia. In Victoria, for example, the Minister for Water similarly sets regulatory asset values for water entities at the start of their independent economic regulation, so it is done the same way by the previous Liberal government in Victoria.

In the setting of the regulatory asset base, the government sought to ensure the appropriate balance between the prices paid by customers in the future versus the value of the businesses to its shareholders—i.e. the people of South Australia, because we own the assets because you lost the election and did not get a chance to privatise it.

The SPEAKER: No, no, Treasurer. I didn't lose the election.

The Hon. A. KOUTSANTONIS: I apologise, sir.

Members interjecting:

The Hon. A. KOUTSANTONIS: Having a bad week?

Members interjecting:

The Hon. A. KOUTSANTONIS: I'm answering the question about the regulatory asset base.

The SPEAKER: Yes, but would you address your remarks to the Chair, rather than to the opposition?

The Hon. A. KOUTSANTONIS: Mr Speaker—

Mr Whetstone: Both hands in his pockets.

The SPEAKER: The member for Chaffey is warned a first and second time, and should have been chucked for that remark, which is the second time he has made that remark.

The Hon. A. KOUTSANTONIS: We determined that all legacy assets would be captured in the regulatory asset base and that any new assets would be incorporated to the extent that they compromise the cost of capital to SA Water. It is important to note that there is a requirement of audit to regulatory accounts for SA Water in addition to the corporate accounts, making sure that their practices in accounting for the asset base are properly audited. The initial—

Mr MARSHALL: Supplementary, sir.

The SPEAKER: Supplementary, leader.

WATER PRICING

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:39): Does the Treasurer agree with Dr Paul Kerin's evidence to the Budget and Finance Committee last Friday that the regulated asset base in South Australia is overvalued by approximately \$2 billion?

The SPEAKER: Before the Treasurer starts, if you ask an open-ended question like 'Does the Treasurer agree', he is going to have a lot of scope.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:39): No, Mr Speaker, no. Mr Kerin's comments to the Budget and Finance Committee, I thought, showed that they were confused. They showed someone who didn't understand their role as a regulator. They were not policymakers. We are the policymakers. The people of South Australia own these assets. They are our assets. They belong to the people of this state and we socialise the profits to make water affordable.

Members opposite need to understand this fundamental principle: if they want to remove postage stamp pricing for water, what does that mean for regional water users? What does that mean

for regional remote communities about what they pay for water? What does that mean for the Liberal Party's base? What does that mean for their base? It means they will be paying more for their water. We are the driest state in the driest country in the world and we have postage stamp pricing for water and we do so because it's the right thing to do by the people of South Australia.

The initial regulatory asset base is now rolled forward on an annual basis, reflecting new investments, as it should, depreciation and asset disposals. This approach provides a number of important benefits for regulated businesses and consumers, including price stability, business investment certainty and administrative simplicity. If we undervalue our regulatory asset base we risk undermining the ability to replace and improve water infrastructure. When you have a land mass the size of western Europe, with 1.6 million consumers, that asset base is very important and we upgrade it so they can get the water they need.

It's a risk not offering an attractive prospect to potential investors in this space. If either of those risks are realised we will inevitably have accounted for last-minute full liability government spend to prop up the asset base, which results in price hikes for customers. It is this government that has invested in our water assets. It is this government that gives certainty to people in rural and regional communities that they pay for their water, not the actual cost of delivering the water to their homes but a subsidised cost. If the Liberal Party wants to have actual pricing of water to those regional communities then let's have a debate.

WATER PRICING

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:42): Can the Treasurer inform the house of the methodology for determining the 5 per cent increase in the water regulated asset base and a 10 per cent increase in the sewage regulated asset base, why these were such rounded-off numbers and why the government specifically rejected the advice of both ESCOSA and SA Water?

The Hon. J.J. SNELLING: Point of order, sir. This is just a repeat of an earlier question, although somewhat embellished, but essentially a repeat of an earlier question which the Treasurer has answered.

The SPEAKER: I would have thought if it's a repeat of an earlier question it's a gift to the Treasurer. I will invite him to open it, if he wishes.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:42): Mr Speaker—

Members interjecting:

The Hon. A. KOUTSANTONIS: You've had a good year.

The SPEAKER: Treasurer!

The Hon. A. KOUTSANTONIS: Sorry, sir. I know, he's fragile. I think we have made it pretty clear that this government believes in postage stamp pricing for water. What Mr Kerin's fundamental argument is is that what we should do is charge people for the real costs of receiving water and then offer a concession from general revenue on top of that to subsidise it. What that means for people in rural, remote and regional areas—

Members interjecting:

The Hon. A. KOUTSANTONIS: It's exactly what he's saying. If we do that and the call—

Mr MARSHALL: Standing order 98: relevance, sir.

The SPEAKER: No, you asked the question. Treasurer?

The Hon. A. KOUTSANTONIS: The call then would come back on the policymakers about who receives the subsidies and how it's funded. It has been exactly the same process from treasurer Stephen Baker, through to treasurer John Olsen, to Rob Lucas, to treasurer Kevin Foley, Jay Weatherill, Jack Snelling and me—the methodology has been the same. If the Liberal Party wants to change that methodology they should announce it now.

WATER PRICING

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:44): A supplementary, Mr Speaker: does the Treasurer agree—

The SPEAKER: No, that is the fourth supplementary.

Mr MARSHALL: We've not had many answers so far, sir. Does the Treasurer agree with Dr Paul Kerin's advice to the Budget and Finance Committee that the new regulated asset base valuation provided by Treasury will increase water prices in South Australia for the next 50 years?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:44): Mr Speaker or Madam Deputy Speaker—is the slate clean now? Can I start again?

The DEPUTY SPEAKER: Unfortunately, he has left the scorecard.

The Hon. A. KOUTSANTONIS: He has left notes?

The DEPUTY SPEAKER: Although his writing is hard to read.

The Hon. A. KOUTSANTONIS: It is probably in Latin, ma'am.

The DEPUTY SPEAKER: Your side is very clear to read.

The Hon. A. KOUTSANTONIS: No, I do not accept that because, as ESCOSA have pointed out, water pricing will not increase above CPI until the next determination.

Ms Redmond interjecting:

The DEPUTY SPEAKER: Order! The member for Heysen is warned.

The Hon. A. KOUTSANTONIS: The problem is that if I take Dr Kerin's remarks as Liberal Party policy, which I suspect is what is coming, that is a massive blow to the budget.

Mr GARDNER: Point of order, Madam Deputy Speaker. The Treasurer is now debating—standing order 98.

The DEPUTY SPEAKER: I think he has finished; is that right, Treasurer? Yes.

SA WATER

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:45): My question is to the Premier. Will you continue to deny that the Labor Party has considered privatising parts of SA Water now that it has been confirmed that it was discussed with agencies outside of Treasury?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:46): Judge us on what we do.

Ms Redmond interjecting:

The DEPUTY SPEAKER: Order, member for Heysen!

The Hon. A. KOUTSANTONIS: We have just had a budget in June. If the government was going to privatise SA Water, you do it at the beginning of the term, you don't do it at the end of the term. I have to say that we went to the election with a commitment not to privatise SA Water, and we won't.

Ms Sanderson interjecting:

The DEPUTY SPEAKER: The member for Adelaide is called to order.

The Hon. A. KOUTSANTONIS: We won't privatise SA Water because we believe in the public ownership of our assets. We do not—

Mr Gardner interjecting:

The DEPUTY SPEAKER: The member for Morialta is—

The Hon. A. KOUTSANTONIS: —believe in privatising essential assets like SA Water.

The DEPUTY SPEAKER: Sit down. The member for Morialta is warned for the first time. Just because the Speaker is not here does not mean we will not be using the scorecard. Members are asked to behave and listen to the answer. Treasurer, have you finished?

The Hon. A. KOUTSANTONIS: No, I haven't.

An honourable member interjecting:

The DEPUTY SPEAKER: His answer.

The Hon. A. KOUTSANTONIS: Madam Deputy Speaker, can I just say what an exceptional job you are doing in chairing the parliament today. There seems to have been a dramatic improvement, and I can feel it changing! Mr Speaker, welcome back. You have been missed—and the opposition were saying horrible things about you in your absence, sir.

We will not be privatising SA Water. The government and Treasury conduct all sorts of studies—as they should. In the end, it is up to the policymakers to make a decision. We stand by our decisions. We stand by not privatising SA Water because we socialise the profits of SA Water and put them back into our communities, back towards pensioners, back towards postage stamp pricing for water, back into our hospitals, schools and roads, and back into the budget. If you privatise these assets, those profits are socialised overseas and abroad for shareholders.

SA WATER

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:48): A supplementary, sir: why did the government spend \$100,000 and commission KPMG to look at the privatisation of some SA Water assets if it had no intention whatsoever of ever privatising any assets within SA Water?

The SPEAKER: Given that the leader imputes to the government an intention which I am sure the Treasurer is now going to deny the government ever had, it is this kind of bombastic question that leads to bombastic answers.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:48): I will attempt to rise above the bombastic answer, sir, and bring the house back into order from a disorderly question that the Leader of the Opposition asked. There are two types of state governments in this country. There are good examples in Queensland and New South Wales of governments wanting to privatise their assets and taking them to the election. Premier Campbell Newman and Premier Mike Baird are taking asset privatisations to the respective elections in their state and are seeking a mandate to sell those assets. At the last election—

Ms CHAPMAN: Point of order, Mr Speaker. The minister is not responsible for other governments. The question was very clear: if you are not going to sell these assets, why was the KPMG report commissioned?

The SPEAKER: Will the deputy leader be seated. What the Treasurer is doing is a time-honoured device of ministers of comparing and contrasting the South Australian government with other governments. He is allowed to do that in the context of the question. Treasurer.

The Hon. A. KOUTSANTONIS: Sir, those governments have made their positions clear: they are privatising essential utilities and they wish to invest that money into infrastructure and debt reduction. We on this side of the house, in this government in South Australia, went to the election with a commitment not to privatise SA Water—and we have kept our word. The Premier has kept his word.

We did not meet with consultants before the election and say, 'Please give us costings on privatising the Motor Accident Commission; please tell us what you think we can get for this,' but others have—others have. The Leader of the Opposition, in the parliament, is saying he had no such discussions with any consultants or any accounting agencies about privatisations. It is very interesting that the Leader of the Opposition, under the rules of parliament, has denied ever speaking to anyone about privatising SA Water.

Mr PISONI: Point of order, sir: the minister has been spending nearly the last minute talking about the Leader of the Opposition. He is not responsible for the Leader of the Opposition.

The SPEAKER: I uphold the point of order.

The Hon. A. KOUTSANTONIS: Judge the government on its actions and its intentions. We will not be privatising SA Water.

SA WATER

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:51): What assets did the KPMG report contemplate the sale of, and does the government rule out the sale of any SA Water assets?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:51): So committed am I to not privatising SA Water that I don't think I have even read the KPMG report. But I am sure that Treasury are always looking for options for divestment, always looking for options for purchase, and always looking at alternative appraisals, whether they be things that the government of the day does not wish to proceed with. I am sure that somewhere in Treasury they have models on all sorts of things that this government will never contemplate.

So, we are not planning on privatising SA Water, and if we do intend privatising any assets we will make it public, like we did with the Motor Accident Commission. The Motor Accident Commission—the government did not attempt to say, 'We are going to run down the asset bay or sell off a title,' we called it a privatisation. We called it what it was, and we will be returning those funds to the roads fund to be spent on road users. But it surprises me that the Liberal Party of South Australia are the only ones opposed to privatisation.

WATER PRICING

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:52): My question is to the Premier. Does the Premier consider it was reasonable for his then deputy chief executive officer, Stephen Mullighan, to instruct ESCOSA to analyse a whole range of pricing scenarios within only 24 hours?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:53): Any treasurer or treasurer's office deals with the regulator, and I think you've got to take Mr Kerin's comments not from the perspective as an independent regulator anymore, because he is not. I also point out to members of the house that in his resignation letter he mentioned almost none of the issues that he raises now in his committee. He could have expanded on those in his resignation letter but chose not to.

The government, on behalf of any minister, is entitled to have their staff talk with third parties or regulators about any issue. The reality is that Mr Kerin's remarks to the committee, as I have said earlier, do not reflect the opinion of the government about what occurred—they just do not—and we are entitled to have that opinion because Mr Kerin's statements are political; they are not apolitical.

This is not some independent regulator who has turned up on a white horse to try and attempt to be impartial; this is a man making a political statement, and he says so in his resignation letter. He flags in his resignation letter that he is making a political statement, and that hasn't changed. Mr Kerin is a political activist making political statements.

Mr Tarzia interjecting:

The SPEAKER: The member for Hartley is warned.

WATER PRICING

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:54): Supplementary: why did the Treasurer instruct Stephen Mullighan to seek the effect on SA Water revenue caps of various asset valuation increases of 5 per cent, 10 per cent and 15 per cent?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:55): I cannot speak for decisions or supposed requests made. Let's first point out to the house that we had not confirmed that those requests actually occurred and if the Leader of the Opposition has evidence, other than the testimony of Dr Kerin, I would like to see it. Again I say to the house: judge the government on its actions. The government is entitled to inquire into any course of action it sees fit because the role of the independent regulator is to regulate, not to set policy. It is a role of the elected government to set policy and if the Liberal Party is seeking to outsource policymaking to unelected officials, that is their business. It is not the role of the government, in this government's view.

WATER PRICING

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:55): Supplementary: did Stephen Mullighan ask the chief executive of ESCOSA to model the effect on SA Water revenue caps of various regulated asset base increases of 5 per cent, 10 per cent and 15 per cent?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:56): I cannot speak for what staff may or may not have done, but what I can say is the policymakers are the cabinet and the cabinet makes the decisions. For example, if a member of, let's say, some other office outside the government, perhaps a Leader of the Opposition's staff, spoke to a consultant about the potential price for a privatised asset base, does that necessarily mean that the opposition is planning to privatise SA Water? Does it? I am not hearing very much. 'We're not in government.' No, Mr Speaker, they are not in government and for that we thank the Leader of the Opposition.

WATER PRICING

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:57): Supplementary: did the government make its decision about which option to select in terms of the valuation of the regulated asset base on the basis of protecting budget revenue?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:57): All decisions are in the public interest and we do so to protect postage stamp pricing of water. Despite a lot of regional communities not electing Labor MPs, we still care about them very deeply. We care about them very deeply. We will not see the real price of water delivered to regional and remote communities being charged to them in the hope that they get a government concession to try to alleviate that cost. What we do is try to socialise those costs as much as we can to make sure that people in rural and regional communities do not pay more for water than people in metropolitan Adelaide by and large, and we do the very best that we can. Now, if members opposite want to change that, perhaps they can go back to their constituencies and ask them what they think.

Ms Redmond interjecting:

The SPEAKER: The member for Heysen is warned a second and final time. Before I call the member for Unley, he was interjecting and criticising the Treasurer whom he alleged was reading his answer. I will be watching carefully the member for Unley's next contribution.

CHILDCARE SERVICES

Mr PISONI (Unley) (14:58): My question is to the Minister for Education and Child Development. Did the government honour its commitment made to Childcare SA in 2011 to propose the need for further transitional arrangements for South Australia in the national regulations and, if so, what was the outcome of that proposal?

The SPEAKER: I note that the member for Unley read his entire question from a piece of paper.

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development) (14:59): I thank the member for Unley for his question. My understanding of what occurred, following a meeting between the former minister and representatives of private childcare providers, was that

the minister did write to the federal government outlining the issues that were proposed in that particular meeting. I understand that she was later advised that the child:worker ratios were, in fact, fundamental to the national partnership and that if South Australia changed that they would be required to withdraw from the national partnership.

The SPEAKER: Supplementary.

CHILDCARE SERVICES

Mr PISONI (Unley) (14:59): How does the minister expect families to afford child care for their children when the cost will increase by \$100 a week in just over 12 months' time?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development) (15:00): I will make a couple of points in this. I make the point that the member for Unley is clearly advocating for larger staff:child ratios.

Mr PISONI: Point of order, sir: the minister does not speak for the member for Unley.

The SPEAKER: The member for Unley can leave the chamber for the next three-quarters of an hour for a bogus point of order and an impromptu speech.

The honourable member for Unley having withdrawn from the chamber:

Mr GARDNER: Sir, the minister verbalised the member for Unley in her answer—

The SPEAKER: If the member for Morialta continues, he will join the member for Unley.

The Hon. J.M. RANKINE: This government cares about children and cares about the quality of care that we provide for children, and staff:child ratios in child care are fundamental to that, as are teacher:child ratios in our schools, and we do not hear anyone advocating for more children in classes, so it is absolutely fundamental. It has been put about that there are going to be massive increases in childcare fees. Can I say that Victoria went to a 1:4 ratio back in 2012. Western Australia, Tasmania, Northern Territory and the ACT are all at 1:5.

A very small survey was undertaken in Western Australia to gauge the difference in childcare costs there compared to South Australia. I am told that in Western Australia, which meets the new ratio and has done for the past 2½ years, fees are on average \$4 a day more than in South Australian centres.

The SPEAKER: Before I call anyone else, from the beginning of my term as Speaker I have ruled that the use of points of order to make impromptu speeches is highly disorderly and wastes question time, and it is not in order to get up under the guise of a point of order and say, 'I disagree with the person speaking.' As I said to the member for Stuart recently, if you disagree with something in the minister's answer and you are being misrepresented, you will rise at the end of the minister's answer, seek leave to make a personal explanation and, in my experience, the house will invariably grant it. The member for Reynell.

TRANSFORMING HEALTH SUMMIT

Ms HILDYARD (Reynell) (15:03): My question is to the Minister for Health. What were the outcomes of the recent Transforming Health Summit?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (15:03): I thank the member for Reynell for the question and for her interest in this very important process. Over the last 13 years, the government has invested in our regional hospitals and upgraded every metropolitan hospital. Most importantly, we have invested in people—nurses, midwives, doctors and allied health professionals—and South Australia now has more doctors, more nurses and more hospital beds per head than any other state or territory.

It is true that this investment has seen our performance improve in many areas, often dramatically, and I am on the record as saying that the best outcomes are not delivered consistently across the system. Having invested in hospitals and people, our focus is now on the design of our system so we can deliver high-quality health care consistently, and this is the Transforming Health process.

Transforming Health is being led by clinicians, the people who work every day in our health system. Some months ago I established three clinical advisory groups, who have given many hours of their time to develop six quality principles that define a quality world-class health system: patient-centred, safe, effective, accessible, efficient and equitable. Almost 300 clinical standards of care were then developed to be the standards that should underpin every part of our hospital system.

Last Friday, in a historic gathering, more than 600 South Australians—doctors, nurses, midwives, allied health workers, community members and scientific and other professionals—agreed that a transformation is required to ensure the state's health system delivers the best quality health care first time, every time, beginning with our metropolitan hospital system.

I would like to acknowledge several colleagues who attended. I think the member for Reynell was not able to get there on the day but, certainly, the member for Kaurana, the member for Elder and the opposition spokesman for health (Hon. Stephen Wade from the other place) accepted my invitation to attend.

The summit heard and endorsed the case for transformation from Clinical Ambassador Professor Dorothy Keefe PSM, the six clinical leads from the advisory committees, patient stories and interstate and overseas experiences. As a result, the summit agreed on nine key outcomes, which included:

- support for the vision that South Australians deserve consistent quality health care: Best Care. First Time. Every Time;
- support for the six quality principles put forward by the transforming—

Ms Redmond interjecting:

The Hon. J.J. SNELLING: Eleanor Abernathy is talking again—

- support for the six quality principles put forward by the transforming health clinical advisory committees;
- agreement that these quality principles drive the case for change;
- endorsement in principle of the clinical standards of care;
- an expectation that any planned changes to South Australia's hospital system are based on the quality principles are not founded on cutting costs.

Mr GARDNER: Point of order.

The SPEAKER: I am just looking up Eleanor Abernathy. I am not familiar with her.

Mr GARDNER: It is a character in *The Simpsons* and the minister has previously been pulled up for identifying people who have Tourette's syndrome, schizophrenia and other mental health conditions. The Minister for Mental Health calling somebody of that status is utterly inappropriate, is thoroughly despicable and must be withdrawn.

The SPEAKER: The Minister for Health is called to order and warned a first time, and the member for Morialta can leave the chamber for 15 minutes for that outburst—which started as a point of order and finished as something else altogether.

The honourable member for Morialta having withdrawn from the chamber:

The Hon. J.J. SNELLING: —

- an expectation that any planned changes to South Australia's hospital system based on the quality principles are not founded on cutting costs.

Mr Speaker, my focus is on better quality care for patients. 'Better quality' means patients get the best care first time, every time. 'Better quality' means fewer complications, less need for readmissions, less disruption of patient lives by shorter stays in hospital. 'Better quality' means lives saved, reduced waiting times and more people having better recoveries.

Following the summit, further consultation with our staff and the community will be carried out. We are appointing a steering committee to oversee the process and advise me. I have asked Professor Keefe to be the chair. This will include strong representation from clinicians, consumers and the broader community. I commend summit participants for their commitment to this transformation process. We should thank the members of the three clinical advisory committees for their hard work and, in particular, Professor Keefe for her invaluable advice and commitment to transforming health.

The SPEAKER: I have just looked up the character in question and the Minister for Health can leave the chamber under the sessional order for 15 minutes.

The honourable member for Playford having withdrawn from the chamber:

The SPEAKER: The member for Elder.

TONSLEY PARK DEVELOPMENT

Ms DIGANCE (Elder) (15:08): My question is to the Minister for Manufacturing and Innovation. Minister, can you provide an update to the house on progress to install a solar array on the main assembly building roof at the old Mitsubishi plant at Tonsley?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for the Public Sector) (15:08): I thank the honourable member for her continual interest in Tonsley and how well it is going. This government has achieved many significant milestones since taking over the ownership of the old Mitsubishi plant at Tonsley. Before I unduly alarm the IT crowd, let me note that I will be providing a brief context with some background material that may already be known to some people before I provide new information.

Tonsley is, as many of us but perhaps not all know, a 20-year project to transform the old Mitsubishi site into a collaborative and high-value industry, education and residential precinct. Growth through innovation has been identified by this government as a key economic objective, and at Tonsley we are creating a showcase on how collaboration between research and development, training, science and technology, and advanced manufacturing can come together to drive new ideas that generate jobs, investment and economic opportunities. We must continue to be a state that makes things. One of the ways to achieve that goal in this new and emerging economy is to encourage innovation from the first bright spark of an idea through concept development and prototypes to a product that can capture markets both here, interstate and even globally.

One of the areas that this state can excel in through innovation is renewable energy. Yesterday this parliament hosted a clean energy summit that reinforced South Australia's role as a global leader in developing renewable technologies. To maintain our lead, we need to be a global showcase of the achievable. In that spirit, the government recently tested the market's appetite for developing a solar installation on the roof of the main assembly building at Tonsley. I was pleased with the response to our request for proposals to develop the 25,000 square metres of potential solar generation space on the saw-toothed—

Ms Chapman: That's it; it's all there on the website.

The Hon. S.E. CLOSE: That's incorrect; it's not all there on the website.

The SPEAKER: The minister will not respond to interjections.

The Hon. S.E. CLOSE: My apologies, Mr Speaker. Not surprisingly, a solar project on this scale has attracted a lot of attention. Eight submissions were received from the market in response to recent request for proposals, with a tender evaluation panel to carry out individual assessments during the next few weeks. In the next stage, a preferred proponent will be invited to negotiate a delivery agreement with the government for the Tonsley power system.

The rooftop solar project at Tonsley also aligns with the government's announcement to increase South Australia's renewable energy target to 50 per cent by 2025. Yesterday evening I was delighted to take part in the launch of a new partnership with the Cooperative Research Centre for Low Carbon Living and the University of South Australia to develop Adelaide Living Laboratories, an

innovative research hub that will investigate pathways for low carbon living in Adelaide. The four-year venture is an action-based research project located across three key developmental sites—at Tonsley, Lochiel Park and Bowden—where community, industry and university participants will undertake on-site research.

The Living Laboratories partnership is an exciting opportunity for South Australia to emerge as the national leader in low carbon research. The project aims to contribute to tangible reductions in greenhouse gas emissions and to test, develop and commercialise the products, systems and services that can underpin future low carbon communities.

EYRE PENINSULA

Mr PICTON (Kaurna) (15:12): My question is to the Minister for Tourism, Minister for Agriculture, Food and Fisheries, and Minister for Racing. Minister, can you update the house on the economic conditions on Eyre Peninsula?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (15:12): I thank the member for the question. I have just had a couple of trips over to Eyre Peninsula and caught up for a lot of the time with the member for Flinders, who is a great advocate for his local area. Across nearly all of the portfolios, with the exception of forestry, we had some very good meetings and heard a lot of good news about the economic conditions.

On Sunday 16 November, a big cruise ship, the *Celebrity Century*, was docked at Port Lincoln with 3,000 passengers and crew disembarking. I have never seen the foreshore along Port Lincoln so busy, and all the shops and tourism operators did good business. That is really terrific for the tourism industry and for small business. I also want to thank the volunteers in Port Lincoln who do a tremendous job welcoming visitors to their town, from around the world and Australia, who arrive on those cruise ships.

I also thank the local high school. I met three students who were doing their year 12 project on volunteering and the tourism industry, so it was a great experience for them. Also in the tourism sector, last Tuesday the Premier and I joined with the minister for the environment to offer 10-year licences for the shark cage diving industry. There are three operators there: the Fox family, the Forsters and Matt Waller. They've got—

Mr KNOLL: Point of order: the extension to the shark cage diving operator licences is detailed in a press release on 25 November, with the minister's name on the top of the press release.

The Hon. L.W.K. BIGNELL: If we can't talk about things that happen because someone over there wants to not pay attention—

The SPEAKER: The minister will come to order. It is long usage of parliament that government questions cannot use readily available material to underpin them. So, I ask the minister to respect the house by telling it something it doesn't already know.

The Hon. L.W.K. BIGNELL: Sir, I am giving it an economic overview of the various portfolios that I have responsibility for, with little snippets of highlights of people we met with and how these things came about.

The SPEAKER: I just ask chiefs of staff, in preparing answers to government—

The Hon. L.W.K. BIGNELL: I have no notes, I have no answer written. I am talking about some of the meetings that I have had over on the West Coast, and I think if—

The SPEAKER: I will listen carefully to the minister, but I don't want the member for Schubert able to tell me sentence by sentence what the minister is going to say next.

The Hon. L.W.K. BIGNELL: Sir, there was no way the member for Schubert could know sentence by sentence. I am talking off the cuff. Where are my notes? Nothing up my sleeve, sir. I am talking off the cuff.

The SPEAKER: The minister is in order. Will he continue, please.

The Hon. L.W.K. BIGNELL: Thank you very much. The shark cage diving industry is the only place in the world where you can do this all year round. They have come to us over the past several months and said they wanted more certainty so that they could invest more money in bigger, faster boats, and as a government we listened to them. It has not cost us a cent of taxpayers' money, but what we have done is given this industry the opportunity to expand and to double their business, to increase the shark cage diving industry to a \$22 million a year industry, so I think that that is a huge win. We also met with many—

Mr Knoll interjecting:

The SPEAKER: The member for Schubert is called to order.

The Hon. L.W.K. BIGNELL: We also met with many grain growers over on Eyre Peninsula and what started looking like a fantastic season for them, with really good early rains, then saw their crops hit by frost, and we also saw a lack of rain from pretty much the first week of August, but, quite surprisingly for some farmers, they have had their best season ever, including the former member for Stuart. His brother Ian had a record crop this year around Streaky Bay, so that was good news. We wish those farmers who are still out there reaping—and I know the member for Flinders, his brother around Cummins finishes harvest today—the very best for the remainder of the season.

I also called into the races for the Gourmet Gallop back on the same day the cruise ship was in. I want to pay tribute to the Port Lincoln Racing Club because they were in a bit of trouble not more than 12 months ago and they have really turned it around and they are not just putting on a race day. The Gourmet Gallop is all about promoting food and the seafood, of course, from Port Lincoln. I also should congratulate Boston Bay Wines, who won the Winestate best riesling in Australia and New Zealand—a tremendous award for a Port Lincoln winery—and I think that is terrific.

While I was there I also launched the sardine 10-year plan, and it is terrific to see that they are increasing their catch by 4,000 tonnes a year, up to 38,000 tonnes a year, and that is a \$21 million a year industry as well. Most of those sardines go into feeding the bluefin tuna, which are then fattened up, and that is a massive industry for this state. So Eyre Peninsula is an economic powerhouse, a great driver of this state's economy, and well done to all those sectors.

The SPEAKER: I appreciate that the minister's delivery was at all times extempore, and the member for Schubert did not have the minister on this occasion.

The Hon. L.W.K. BIGNELL: He has never had me sir—never ever.

The SPEAKER: No, certainly not, I accept that. Other ministers are not so fortunate.

FAMILIES SA INTERNAL AUDIT

Ms SANDERSON (Adelaide) (15:18): My question is to the Minister for Education and Child Development. Can the minister confirm that staff who were flagged in the Families SA audit as being potentially unsuitable for the position have had their assessment interviews delayed by up to a month?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development) (15:18): All of those interviews, as I understand it, are still underway and the department is working through all of the issues in relation to those people.

The SPEAKER: Member for Adelaide.

FAMILIES SA INTERNAL AUDIT

Ms SANDERSON (Adelaide) (15:18): Supplementary: can the minister update the house on the Public Service Association's dispute lodged with the South Australian Industrial Relations Commission in relation to the Families SA staff who have not been informed of the outcome of their interviews in the required 14-day period?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development) (15:18): When I was first asked questions about this particular issue, I did say that we had to proceed with the utmost caution so as to ensure that we didn't breach any of the industrial relations matters in relation to this. I can say that the Public Service Association has challenged the government on

numerous occasions in the Industrial Relations Commission and that has to some degree delayed the process of dealing with it. We have been in the—

Mr Marshall: So it's the PSA's fault.

The Hon. J.M. RANKINE: Did you ask the question?

The SPEAKER: The minister will not respond to interjections. Member for Adelaide.

FAMILIES SA INTERNAL AUDIT

Ms SANDERSON (Adelaide) (15:19): Supplementary: when will all the assessment interviews be finished?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development) (15:19): As the Treasurer has said, when they are done. The department is going through this taking an abundance of caution to make sure that every process is undertaken, that every fairness is given to those particular people. Once the initial assessment is done, recommendations will be looked at by another body and recommendations made through to the chief executive officer. Appropriately, it is not something that I, as minister, am managing.

Ms Chapman: That is the quote of the year.

The SPEAKER: The deputy leader is warned for the second and final time.

OIL AND GAS SECTOR

Mr HUGHES (Giles) (15:20): My question is to the Minister for Mineral Resources and Energy. Can the minister inform the house about the status of BP's exploration program in the Great Australian Bight?

Mr Marshall interjecting:

The Hon. A. KOUTSANTONIS: May I have the leverage to treat him the way he deserves? Can I, please, sir?

The SPEAKER: The leader is warned a first time, although I do not regard 'klutz' as unparliamentary.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:21): BP and its joint-venture partners, Statoil, probably the two largest oil and gas companies in the world, are exploring in the Great Australian Bight for oil and gas. Before then, in order to comply with stringent regulatory processes applied by NOPSEMA, BP will prepare detailed plans and supporting documentation, including an environment plan.

The company is also planning to invest in infrastructure to support this very important project. The investment will deliver long-lasting benefits to the state and demonstrate the benefits of an expanding resources sector to our towns, our cities and, most importantly, our regional communities. It is good to know that the member for Flinders was in attendance at Ceduna, showing his support for the oil and gas sector. I also noticed there was support from the member for Morialta, most recently, at another group of informed industry experts—

The Hon. T.R. Kenyon: Hartley.

The Hon. A. KOUTSANTONIS: Sorry, the member for Hartley, who supports the oil and gas sector. That is probably why the motion for an inquiry was not moved in the lower house because the Leader of the Opposition would not have been able to keep the support of the member for Hartley, who probably would have voted for the government. I have to say, a week out from a by-election, that kind of honesty and integrity of the member for Hartley is really inspiring—that he is prepared to stand up to his leader and stand up to the Liberal Party's anti-oil and gas policies.

Mr Tarzia interjecting:

The Hon. A. KOUTSANTONIS: Before then, these investments are expected to deliver lasting benefits for our state and demonstrate the benefits of an expanding resources sector. Both

Port Adelaide and Ceduna airports will receive infrastructure upgrades and BP has proposed a marine supply base to support the drilling in the Great Australian Bight, which is intended to operate from the port and is subject to council and other approvals.

Interestingly, BP have not asked that the Coordinator-General overlook these proposals because BP are very keen on making sure that they have integrated conversations with local communities. They are very keen on talking to local communities about the benefits of their development, but of course the government reserves the right, if there are anti-oil and gas activists, like the member for Mount Gambier, who might pop up and try to stop development, to have the ability to defend these industries.

The marine supply base will cater for onshore logistics activities to service offshore exploration drilling activities. The base will resource offshore supply vessels with the necessary materials and equipment for offshore operations. It includes a whole series of functions, like loading and unloading of equipment and materials required for offshore operations returning from offshore, using cranes, and of course all the deck for the cargo.

As some members know, BP also has plans for a new helicopter base in Ceduna. The proposed site, which the Premier and I visited last week, Ceduna, is intended to be the primary location for the aviation support for the offshore base. As much as Adelaide Airport would like to be a destination for BP's helicopter support off the Great Australian Bight, I am not sure the helicopters have the range to reach that place. Again, the anti-oil and gas activists try to stop the pro oil and gas activists from supporting the industry.

The Hon. T.R. KENYON: Point of order: my understanding of standing order 131 is it is out of order to interrupt a member while he is speaking. I might add that I think the tapping of a glass is very disorderly. It's not a wedding.

The SPEAKER: In another context it would require members to turn to one another and kiss.

Ms Chapman interjecting:

The SPEAKER: Indeed. As the deputy leader says, spare us that. The member for Stuart.

YUNTA RURAL SCHOOL

Mr VAN HOLST PELLEKAAN (Stuart) (15:25): My question is to the Minister for Local Government. Can the minister advise the house of who he nominated as his representative member to the Yunta Rural School review committee, as required by the Education Act, section 14C, in any circumstances when consideration for closing a government school not situated within a council area is occurring?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development) (15:26): The closure of the Yunta school, which initially had the support of the member for Stuart, has obviously—

Mr van Holst Pellekaan: When there were two students. Now there are seven.

The Hon. J.M. RANKINE: Well, now there are seven. They say it is going to be seven. There have been two students, there have been four students, there have been seven students, and this has been the cycle year after year after year—year after year after year. The important thing, the thing that the member for Stuart should be advocating, should be to ensure—

Ms CHAPMAN: Point of order, sir.

The SPEAKER: What is the point of order?

Ms CHAPMAN: The member for Stuart asked a very simple question.

The SPEAKER: Yes, I know what the question is, whether someone was appointed to a school council.

Ms CHAPMAN: Who was appointed? Not the council, to the review committee.

The SPEAKER: No; I think we're clear on it. Minister.

The Hon. J.M. RANKINE: I am happy to outline who was on this particular committee. On the committee was Yvonne Lloyd, the presiding member, former principal of Jamestown and Risdon Park primary schools; Dr Mike Dillon, currently contracted to DECD, special education, and former manager of capital works; a community leader; the education director; an Australian union representative; the principal of the school; and a nominee from the school governing council. We had people from that community on that review committee and the review was implemented by me because the parents of the school couldn't bring themselves to make the decision to close the school. No-one can run a school and provide an effective education for two children. The fact that there may be seven children next year—we were looking at maybe having six children at the start of this year—still does not provide children—

Members interjecting:

The Hon. J.M. RANKINE: Concentrate on whether the children are going to get a decent education instead of worrying about a handful of votes that will make no difference whatsoever.

Ms CHAPMAN: Point of order.

The SPEAKER: Point of order.

Members interjecting:

The SPEAKER: The member for Chaffey is—

The Hon. T.R. Kenyon: A moron, sir.

The SPEAKER: I'm sorry; no. The member for Newland will withdraw that remark and apologise.

The Hon. T.R. KENYON: Sir, I withdraw and I do apologise.

Mr VAN HOLST PELLEKAAN: Supplementary, sir.

The SPEAKER: The member for Chaffey is warned and you can't ask supplementaries after the time for asking questions has expired. The Minister for Manufacturing and Innovation.

Ministerial Statement

CLEAN ENERGY SUMMIT

The Hon. S.E. CLOSE (Port Adelaide—Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for the Public Sector) (15:29): I table a statement made by the Minister for Sustainability, Environment and Conservation in another place.

Grievance Debate

SCHOOL CLOSURES

Mr VAN HOLST PELLEKAAN (Stuart) (15:29): I bring to the house's attention a dreadful situation that we have just heard of. It is very clear under the Education Act—and I am sure that the education minister is fully aware of this—under section 14C that if a school is being considered for closure, and that school is outside the local government area, the Minister for Local Government must nominate a representative to be on the committee that is formed to consider the closure of that school. In the situation of the Yunta Rural School that did not happen, so that means that the process for closing the school has been done illegally.

Let me be very clear about this. When there were two students at this school, the community and I agreed—everybody agreed—that the school should close, but now there are seven students enrolled for next year and things have changed. We are not asking for a new school to be built; we are asking for a school to be left open. The reality is that the process undertaken by the Minister for Education has actually been unlawful and contravenes that minister's act.

Schools are incredibly important for regional areas in general, and I am sure the Minister for Regional Development would agree that every school is very important not only for its primary purpose of educating the students but also for supporting the local community more broadly. There was dissent among the review committee. The majority of members of the committee that was formed

voted to close the school but there were certainly members who opposed that recommendation. But now we find, even more importantly, that the process was unlawful and contravened the Education Act.

Unfortunately, the minister has never even visited the school. You would think, given that this does not happen very often—and I understand there are a lot of schools in the state—the minister could visit a school before making a decision to close that school. That certainly has not happened.

When the committee met, there were quite a few recommendations that were made in addition to the majority, but not unanimous, recommendation to close the school and one of them was that an outreach model could be used so that Yunta school students could be attached and essentially be a satellite of Peterborough Primary School. The Yunta families did not want that—they want their own school. Nothing against Peterborough Primary School or St Joseph's or potentially down the track Peterborough High School—they are all perfectly good establishments—but what they definitely do not want is for their students to be travelling 180 kilometres every day five days a week. So, they accepted the outreach model but they definitely do not want their students to have to go to Peterborough every single day.

I will read a letter from 27 November from the RAA's Mr Richard Butler, Traffic and Road Safety Analyst to Ms Tanya Stephenson, one of the parents of the students at the school:

I am writing to you to express concern at the impending closure of the Yunta Rural School. The prospect of sending your children on a 180-kilometre round trip for school along the Barrier Highway must be of great concern to you...

Whilst traffic volumes are low, Department of Transport, Planning and Infrastructure estimates suggest that 1 in 3 vehicles that use the Barrier Highway are commercial vehicles. This is a concern as the RAA identified that only 59% of the highway met the minimum standard lane width requirements of 3.5m. A number of sections of the highway recorded lane widths of 3m, which can increase the risk of motorists running onto the unsealed shoulder, particularly when passing heavy vehicles.

Between 2009 and 2013 there were 180 crashes on the Barrier Highway at a cost to the economy of \$39m. This included 4 fatal crashes, one of which was a head-on crash that occurred 35km west of Yunta—

so between Yunta and Peterborough—

in 2012. The most common crash types were 'roll over' and 'hit animal' crashes which are most common during dawn and dusk. By closing the school, parents may be forced to drive significant distances to ensure that their children are provided an education, which in turn could lead to more fatigued drivers. Therefore, the alleged savings generated by the closure of the school would be wiped out if a serious crash on the Barrier Highway were to occur.

Those are the words of the RAA's Traffic and Road Safety Analyst warning the families that this is not a good model. We now know that the review committee which was established to consider the closure of the school was established unlawfully because it did not have a representative from the Minister for Local Government as required by the act. We also know that there still remains on the table the opportunity of an outreach model which the parents of the Yunta children accept and would like. They do not accept the unsafe prospect of taking their children every single day to Peterborough.

LITTLE PARA ELECTORATE VOLUNTEER ORGANISATIONS

Mr ODENWALDER (Little Para) (15:34): Last week, I was privileged to represent the government at the annual general meetings of two of the most important community-based organisations in my local area, and two organisations which I am proud to have supported and been involved with for a long time. The first of these organisations is the Lyell McEwin Regional Volunteer Association, which many northern suburbs MPs (including yourself, Deputy Speaker) would be well aware of and have a long association with.

I have been a supporter of the volunteer association for a long time, first through my work with the previous member (Lea Stevens) and now through my own role as the local MP. My office, of course, is just across the road from the Lyell Mac, so I get a chance to see and chat with volunteers almost every day, whether it is at their cafe, at the op shop which they run just around the corner, or just passing through the shops. I have nothing but respect for the work that these volunteers do and the hours of selfless service they put into making the Lyell Mac, and the community in the north generally, a better place.

The Lyell McEwin Regional Volunteer Association has a remarkable 26-year history in this state. In fact, the story started with the Lyell McEwin Ladies Auxiliary in 1959, and I was lucky enough to speak to some of the ladies who originally formed part of this auxiliary. The volunteer association became an incorporated body in July 1988.

I was privileged to hear the association's executive officer, Andy Fryar, speaking at another function recently about the early days of incorporation. I really want to acknowledge Andy's pivotal role in the success of the association. He is not just the executive officer; he has been the driving force behind the association's success since its inception, and he is an internationally renowned expert in innovative volunteer management. His contribution cannot be underestimated.

There are now more than 800 registered volunteers who work within the Lyell McEwin Hospital and in the community in more than 30 different areas, and it is fair to say that the hospital and its allied services would struggle to provide the same level of service to our community without this association. Today—and again this is in large part due to Andy Fryar's vision and leadership—the association is viewed internationally as being at the cutting edge of health-based volunteering. It works hard to support its volunteers, develop good volunteering practices and to support the growth of sound volunteer management practices generally.

At every AGM, the association recognises and thanks volunteers for outstanding achievements with various awards, such as service awards, life memberships and the annual Ann Taylor Award for Outstanding Contribution. I may get time to go through some of the others, but I will just let you know that Doreen Allison won the 25-Year Service Award, as she has served the Lyell McEwin Association for 25 years; Dorothy Sweetlove and Dee Taylor have served for 30 years; and Alecia Jennings, Sheryle Kennedy and Adrienne White have served the association for 15 years. There were 32 people who had served the association for five years and received awards, and nine people who had served for 10 years also received awards that day.

The winner of the Ann Taylor Award for Outstanding Contribution, Jill Talbot, is someone I have known for many years and who has been active in many ways in the north, both in Elizabeth and Gawler and probably elsewhere. Jill is a skilled leader, and on top of that she is always enthusiastic. She brings people along with her, not just because she knows what she is doing but by the sheer force of her enthusiasm. Jill is an exemplar of the spirit of volunteering in the north and I want to congratulate her again.

The other AGM I attended was for the Northern Area Community and Youth Services (or NACYS, as it is affectionately known). NACYS is another organisation I have been involved with over a long time. Several of my close friends have served on the board, and former senator, member for Napier and deputy leader of this party, Annette Hurley, still serves admirably as its Chair. NACYS is an organisation that provides high-quality services that ensure that people living in the northern area have access to support that improves their quality of life.

The organisation's vision is to be, 'A resilient organisation that is working for a resilient community,' and, as many here will know, that resilience has been put to the test over recent years. In 2012, NACYS were the victims of a terrible fire which gutted their premises and their operation. A combination of stoic leadership from Clare Dillaway and the generosity of the local community meant that NACYS is finally finding its feet again, refusing to dwell on the past and instead keeping the focus on what they see as their mission: to work for the community, and particularly young people, in the northern suburbs.

NACYS prides itself on really being part of the community and listening to its clients needs and ensuring access to relevant services. They always engage in what we might call 'broad community engagement' and stakeholder consultations. In other words, they listen to the people they serve—they listen and they respond.

Many people have spoken many times in this place about the value of volunteering, but it is worth repeating some of the salient statistics. Across South Australia, more than 900,000 individuals donate their time and energy in some way to volunteering. Around 48 per cent of South Australians formally volunteer with a local community organisation or group, and these efforts contribute to an estimated 1.7 million volunteer hours per week. From a financial perspective, just in our state alone, volunteering is valued at almost \$5 billion annually.

It is no small part due to organisations like NACYS and the Lyell Mac volunteers that volunteerism is such an integral part of our community and our economy. I congratulate them and look forward to many more years of working with them.

HUGHES, PHILLIP

Mr WHETSTONE (Chaffey) (15:39): I rise today to remember the late Phillip Hughes, a young man who was living out his dreams and whose passing has touched people across the world. When I heard the news late Tuesday that Phil had been struck by a bouncer while playing for South Australia in a Sheffield Shield match at the Sydney Cricket Ground and was rushed to hospital, like the rest of Australia I hoped he would be okay. Tragically he passed away as a result of the fatal head blow, aged 25, in what can only be described as a heartbreaking day for his family, his friends and supporters, and cricket in general.

During my chosen sporting career I too often saw young people die doing what they loved and it is a life-changing experience. It leaves an indelible mark in the approach of every sportsperson's psyche, walking up to that start line knowing what could happen.

Like my father, I am an avid cricket fan and I still find it hard to fathom how a young life could be cut short while playing our national game. The short delivery has been part of cricket since its inception and it is common to see a batsman struck on the body. To think that a bouncer during a game of cricket could claim a life is still difficult for me to comprehend.

I know Phil was, and will remain, a role model to many young cricketers across the world. He made his debut for the Macksville RSL Cricket Club at the age of 12 and went on to become the youngest player to score two tons in a test match and the first Australian to score a ton in his one-day international debut. There was something about his unorthodox batting approach that really appealed to cricket fans and it was evident that his infectious personality rubbed off on his other teammates.

Such was Phil's impact on cricket that tributes have been made across the world amidst the raw and public grief. International sports have paused to remember him and everyone from The Queen to Elton John has paid tribute.

Tens of thousands of Australians put their bats out in memory of the young country lad who loved nothing more than representing his country at the highest level. Not only was Phil a very talented and exciting cricketer, but he was a genuinely good bloke with a trademark smile who earned much respect from his rivals and worked hard to win his place in the Australian team. Phil was a country boy who embodied the Australian spirit, overcoming the challenges before him with a hunger to succeed.

My thoughts are with Phil's family, friends and teammates at this difficult time, and particularly with New South Wales bowler Sean Abbott. An absolutely unforeseeable accident has impacted so greatly on the lives of so many.

For those who would like to remember the life of Phillip Hughes, pay their respects and recognise his influence on cricket in South Australia, there will be a South Australian Cricket Association memorial service at Adelaide Oval tomorrow. Phil was loved, admired and respected by his teammates and cricket fans across the world, and while he is no longer with us, he will never be forgotten and his legacy will live on.

PREMIER'S READING CHALLENGE

The Hon. P. CAICA (Colton) (15:43): I find this an exciting time of the year and not because parliamentary sitting time is about to conclude, but because of what is occurring in our schools at this time of the year.

On 21 November I was fortunate to attend the 2014 Premier's Reading Challenge reception. It was held at the reception centre at the Zoo. The Minister for Education and Child Development, many of my parliamentary colleagues, the Premier's Reading Challenge ambassadors, Humphrey B. Bear (and what a funny old fellow he is), many outstanding teachers and support staff from the education system and, most importantly, the student representatives from approximately 40 selected schools that achieved outstanding results were also there.

These schools were there so as to recognise the percentage completion of their students at the very highest level within those schools and also recognise those schools that had made the greatest improvement from the previous year. It was a fantastic event. Unfortunately the Premier could not attend, but he was ably represented by the Minister for Education at that event. As I said, this event is about recognising those particular schools. Deputy Speaker, do you know how many books have been read by students participating in the Premier's Reading Challenge since it commenced in 2004?

The DEPUTY SPEAKER: No, but I am hoping you do.

The Hon. P. CAICA: I can tell you: in excess of 13 million books have been completed by students since it commenced in 2004, and I think that is an outstanding effort. I want to acknowledge all those students who have participated in the Premier's Reading Challenge across the spectrum of the schools that make up our school system. In particular, as you would expect, I want to congratulate those schools in my electorate in particular: St Michael's College and Henley High School; and my primary schools—Henley Beach Primary School, Fulham North Primary School, Star of the Sea, Fulham Gardens, Kidman Park, Grange Primary School, Seaton Park Primary School and St Francis School. Kidman Park was recognised as one of those 42 schools at the reception I mentioned earlier.

I was fortunate enough last week to attend Grange Primary, Fulham North and Fulham Gardens to recognise those students who completed the Premier's Reading Challenge this year, and also St Michael's recognition of their year 9 students who participated in the Premier's Reading Challenge. I think it is great to see that these schools not only recognise the outstanding efforts of their students but also have a special event to mark that particular achievement. I am looking forward next week to going to more schools not only to recognise those who have participated in and completed the Premier's Reading Challenge but also, at this time of the year, as you know yourself, Deputy Speaker, there is the excitement of attending school graduations and celebrating the achievements of students at the end of the school year.

On the matter of St Michael's, I want to make this point. What I think has been brilliant with respect to many of the high schools across the state—in this instance, St Michael's—is the number of high school students who participate in the challenge who have made the transition from primary school to high school and continue to undertake the Premier's Reading Challenge. Many of those students have now undertaken and successfully completed 10 years of the Premier's Reading Challenge. Through their English faculty, St Michael's also build the Challenge into the English curriculum that is delivered to the students, and I think that is an outstanding initiative.

I have thanked and congratulated the students, but I also want to acknowledge and thank the teachers, the support staff, the librarians and all those others who support the program and support the students undertaking the program, because everyone in this chamber would know that events like this do not happen unless you have champions who are championing that event. These outstanding people are as much champions as the students who complete the challenge themselves, and I thank and congratulate those teachers and support staff in my electorate who do that.

In closing, I want to touch on the many graduation ceremonies that I will be attending in the next week. I want to congratulate not only primary students on the successful completion of their primary school years but also high school students who will be leaving high school. I congratulate them on the work they have undertaken to get where they are today. If I can be bold enough, I thank the teachers and support staff they have had over the many years of their schooling and those who have supported them: their parents, their friends, their peers—everyone who has contributed to them being a success in the schools they attend. I thank everyone for their efforts, and I am very proud of our schools and education system.

COUNTRY HEALTH SERVICES

Mr PENGILLY (Finniss) (15:48): I raise an issue of substantial importance to constituents in my area of Yankalilla. Country Health, in its infinite wisdom, has seen fit to cut out the grant supplied to the Southern Fleurieu Family Practice, which has resulted in no emergency care after hours or during the day. This ostensibly means that anybody down there who needs to seek emergency care will have to go to South Coast, Noarlunga or probably Flinders hospitals.

In my view, this is nothing short of a completely devious and arrogant department and minister who, though their own financial incompetence, are pressuring country people and forcing them into the position where they have to drive many kilometres, probably at night, call an ambulance or, as the local practice has said—and they are not happy about it—they will charge \$100 extra to service the local residents.

Many of the local residents cannot afford that and they will have to, as I say, drive many kilometres, probably at night, to get to one of these other hospitals. I think what they have done is extremely callous and disgraceful. Bear in mind, Madam Deputy Speaker, that very shortly, when the Christmas-new year break starts, the population in the Yankalilla-Normanville area alone (Western Fleurieu) rises from some 4,000 to about 10,000. Fish hooks, and everything that goes with them, are a pretty normal part of the equation, and I suggest many of your city kinfolk are going to be seriously cranky when they have to go down to the South Coast, up to Noarlunga or, indeed, Flinders hospital at some ungodly hour of the day or night because this Weatherill state government has cut this funding.

This is only the thin end of the wedge. There has been no consultation with that community—none whatsoever. Discussions have gone on with the Southern Fleurieu medical practice and they have laid their cards on the table. They cannot continue to do it without the grant. If I am wrong, I will be corrected, but my understanding, from the information, is that there has been, I repeat, no consultation with that community over what has been put in place by Country Health SA. I think it is nothing short of disgraceful. As I say, notices have been put up in the practice about the changes to the emergency service and what they are going to have to do.

I do not know where this is going to happen next. I am of the understanding that the medical practices along the South Coast, through Goolwa, Middleton, Port Elliot and Victor Harbor, are about to get the same treatment. Of course, people down there do not have quite so far—quarter of an hour or so from Goolwa, or they have to wait for an ambulance in serious enough cases.

I bring it to the attention of the house. Someone has some explanations to make. The bureaucrats within the department have not answered some of the questions or bothered to reply to correspondence that has been sent to them from the practice general manager, Mr Garry Madigan. The last information I got was that the regional director still had not answered email or written correspondence, or whatever. I do not think it is good enough. I seriously think that people in that area are going to be highly disadvantaged by something they have had forever and a day and should continue to have.

Country people accept they are not going to have everything that their city kinfolk get, purely because of geography and logistics. However, this is a callous and harsh move and it is something the minister should get in and do something about rapidly. I will be writing to the minister expressing my disappointment. I have kept out of the debate for some time, as requested by the doctors, but it is now open slather. It came in on 1 December and the people down there are going to be seriously disadvantaged, and I suspect the media will shortly be saturated with grumpy people from the Yankalilla-Normanville-Fleurieu area who are completely dissatisfied.

NEW VENTURE INSTITUTE AWARDS

Ms DIGANCE (Elder) (15:53): Recently, I was very fortunate to represent minister Close, Minister for Innovation and Manufacturing, at the Flinders University New Venture Institute Venture Dorm eNVies award night. The evening celebrated the graduation and success of the Venture Dorm participants for 2014. Venture Dorm aims to turn business ideas into reality. Flinders University New Venture Institute was established to support students and aspiring entrepreneurs to develop their commercialisation skills, and provide a gateway for the business community to connect with Flinders University's research community, and to assist university staff to connect with commercial and research opportunities beyond the university.

Excitingly for me, as the member for Elder, this New Venture Institute will relocate to Tonsley ready for business in the new year, and it will be within the new Flinders University complex. This will be co-located with the School of Computer Science, Engineering and Mathematics, the Medical Device Research Institute, the Centre for NanoScale Science and Technology and Flinders Partners. Venture Dorm is a program run through the New Venture Institute and provides a 12-week

educational environment for people wanting to learn how to build their own viable business based on the experience and expertise of how entrepreneurs build new ventures.

The program also supports participants to find an idea and a viable business model which is scalable and repeatable, achieving all of this in less than 12 weeks. The program combines both theory and, importantly, practice, and uses a flipped classroom way of teaching. Venture Dorm is a hands-on, learner-centred, inquiry-based, immersive and experiential process.

Students learn principles of Lean Startup and customer development and the Business Model Canvas to search for a business model that works. Participants are also facilitated in de-risking their business model, finding users and partners, while being connected with mentors who have been down this path and succeeded. Venture Dorm is not an accelerator where seed money is available to build a business, although alumni are encouraged to join an accelerator if they wish. The program helps participants to develop the mindset and skills to survive the rollercoaster world of new venture creation.

On this graduation and awards night, the room was filled with students, teachers and successful entrepreneurs and businesspeople with expertise in start-up and venture capital. We were all witness to some amazing and inspirational projects. Just some of the remarkable projects were gold and silver eNVie award recipients, namely, Plumbers Mate and Eternal Memoria respectively, with Travel Buddies gaining the popular audience vote. Plumbers Mate developed a highly marketable commercial water valve, and Scott Perry, the developer of the product, launched a convincing pitch on the night.

He was followed by Nazir Rasheed, of Eternal Memoria, as he convinced the judges that he deserved second place with his innovative headstone addition of a Q Reader. His idea was to provide information about a deceased family member, which, after being recorded and stored, can be retrieved on demand by way of a mobile phone with a Q Reader app. The audience choice award to Travel Buddies recognised the development of a global network of people willing to show a traveller real-life experience in their home country, so travellers were not just a mere tourists but really had the benefit of experiencing the local culture.

My discussions with businesspeople in the audience, who were there to mix with the finalists and assess the commercial readiness and viability of graduate ideas, were ones of energetic enthusiasm. There was a general view amongst these local experienced and successful entrepreneurs that a significant commercial pathway for South Australia's future was by way of start-up ventures. They highlighted South Australia's suitability for such commercial activity for start-up company ventures, citing such factors as appropriate culture being one conducive to incubating start-ups, with a population of 1.6 million being the right size for this type of business activity, and South Australia's strong history of customer focus. They also commented that, in addition to this, South Australia had a track record of being a state of many firsts.

This gathering was compelling, with its credentialled attendees and some significant players of our state present. They are stepping up, they are optimistic, they are energised for our future, they believe in South Australia.

Bills

STATUTES AMENDMENT (BOARDS AND COMMITTEES - ABOLITION AND REFORM) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 11 November 2014.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:58): I rise to speak on Statutes Amendment (Boards and Committees—Abolition and Reform) Bill 2014. This was introduced by the Premier recently and purports to outline a number of abolition, restructuring or merging of boards and committees which service principally the government, although some have a dual role to the parliament.

In July this year, the Premier announced that he would conduct a review of all of the boards and committees of the government, and a draft was issued. The final report resulted in confirmation

by Mr Weatherill that there would be an abolition of 107 boards and committees, 17 would be merged, 62 would have other reforms, 33 would be subject to further investigation, 120 would be reclassified and 90 would be retained.

It is interesting in the exercise that was undertaken and, indeed, at the time of the submission, that although there were some 429 boards in existence that were the subject of this review, the Premier outlined in his second reading that, in 2003, the commonwealth review had been undertaken by Mr John Uhrig. I think he has an Order of Australia although it is not recognised in the second reading. In any event, the Premier points out that Mr Uhrig found that, in circumstances where a minister retains powers and responsibilities, 'a board may add a layer of obstruction to a minister seeking to ensure that the CEO is acting in a way that is consistent with government policy'.

I found that statement particularly telling for two reasons: one is that, for the last 11 years since that report, the government has done nothing but add more boards and committees. In fact, they have expanded at an incredible scale, along with commissioners and advocates and the like. We have actually had an explosion of personnel or positions that sit either on boards or committees or just outside of the Public Service, some with varying degrees of independent status that would clearly be in this category; that is, that would impede a minister, as the Premier says, 'to obstruct' a minister seeking to ensure that a CEO acts in a way consistent with government policy.

I think that that is a damning indictment of the Premier on the chiefs of staff of departments in his government. It is particularly telling because he is the one who is actually responsible for the appointment and, in fact, signs contracts and has the exclusive, as I understand it, veto in respect of who are the chief executives and their contracts, and the terms of those contracts which are entered into between the Premier and the chief executive officer.

So I find it extraordinary that he refers to a report which issues a warning which this government has completely ignored. They have had an explosion of these boards and committees and, as I say, advocates and commissioners and the like, yet Mr Weatherill is indicating to us as a parliament that he needs to have this review and this reform because, after all, people like Mr Uhrig point out how obstructive those processes can be. As I say, in fact all they have done in the last 11 years is breed them like flies.

In any event, clearly, some of the boards have come into existence, they have had a specific purpose, and I think, on the face of it, they need to go, particularly in areas of urban development which I cover where there has been a committee or a board established for the purposes of a particular development. It has been developed, the land sold off, or at least it is on its way to being sold, it is transferred to the various agencies or the private sector for them to continue and so the actual role of managing the development has finished or nearly finished—Playford Alive, and I think of one in the seat of Hartley which seemed to go on forever.

I am sure the member for Heysen probably remembers but I cannot think of it offhand but it is in the seat of Hartley. We had a housing development there which took about 10 years, I think, before they sold off all the housing. I am not sure they have even sold any of them off completely now, and I will think of the name of it in a minute.

The DEPUTY SPEAKER: Lochiel Park.

Ms CHAPMAN: Lochiel Park indeed, Deputy Speaker.

The DEPUTY SPEAKER: Am I allowed to help like that?

Ms CHAPMAN: Most helpful—Lochiel Park. The Urban Renewal Authority, in its role, developed Lochiel Park and they set up a whole lot of initiatives which were taxpayer funded. I have said before that I do not have a problem with governments picking up some of the cost of new initiatives in developments. This one turned out to be very expensive; I am not sure that they have even sold all the houses yet.

It is not unusual for the government to use a body such as the Urban Renewal Authority—now trading as Renewal SA under the urban renewal authority act—but, separate to that, to set up various boards and committees to do specific projects. As I say, their purpose comes and goes, so it is appropriate that they be wound up. I am just a little bit surprised that it has not occurred in the

meantime, that this has not been dealt with, but it appears, in looking through the review, that the government has, by regulation, resolved and dissolved a number of those entities that do not require legislative reform.

There has been a culling of things, a lot of which frankly should have gone in any event, but it just seems the government has lost its way a bit and not attended to it. In relation to the actual boards themselves, there are a number that we are being asked to consider in this bill that do need legislative attention. I am just going to go through these.

Before I commence on those that are going to be affected, can I just say that I had two briefings from various members of the department and officers from the minister's office on these matters. I want to particularly acknowledge Mr Kevin Gogler, who is the Principal Policy & Legislative Officer from the Department for Environment and Natural Resources, Sandy Pitcher, the Deputy Chief Executive of the Department of the Premier and Cabinet and, at a second briefing, Ms Catherine Blaikie from the Department for Health and Mr Rick Janssen from the Department of State Development.

There were a couple of other representatives from the department of environment and water and resources or whatever it is called these days. It changes regularly. I must say, at the second briefing, there seemed to be an army of people in attendance and I wondered how the rest of the government was still functioning with the number of public servants who had come to brief me on this but, in any event, I thank them for their time and advice to provide some background to why these certain boards were either redundant or in need of reform.

Running through the bill, I will not spend a lot of time on the Adelaide Dolphin Sanctuary Act. The board under that act is to be amalgamated into one environmental board, which will be the parks and wilderness council, so that will be merged. I cannot say I see that that has great merit in the sense of having a completely merged board with all of the responsibilities. I think what will happen is that it will be very generalist and it will be difficult to see how that will work but, at this point, the minister will just have one council and there are certain representatives with different areas of responsibility who will be involved in that.

Mr John Schulz, who is with the Department of Environment, will have a role in that. I hope so. Certainly Mr Schulz has been very helpful in advising me and, I know, other members of the parliament across the political divide. He is very committed in his role and has certainly provided excellent advice particularly in respect of parks matters covering my electorate and, I am sure, others. So, if he is going to have a senior role in this new amalgamated body, it does fill me with some confidence.

The Animal Welfare Act: I will briefly touch on that to say that it seems that we are now going to no longer have the board as such but there will be these animal ethics committees. I am not certain how that is going to work. It is not clear from the legislation. I may have some questions about that. Then there is the ANZAC Day Commemoration Council, which I note the Premier tabled the annual report for that body today in the parliament. That is to be reformed to the extent that it is still to continue, but this is one of the first of the boards which is going from cabinet appointment to ministerial appointment.

One thing I will say is that if we have a situation where, whatever the replacement structure is and that it is appointed by the minister and that the broader cabinet does not even get a say in the contribution that is made as to the constitution of the replacement body and it is limited in the membership from the point of view of not having a broad representation on it, then we end up with a situation where the replacement body or the model of replacement for consultation, advice and the like, is likely to be deficient and so it is not one that I would be supportive of. However, I say that as a general statement, that whoever is the minister will now pick the council and, presumably, then receive their advice for functions to be undertaken in the commemoration of ANZAC.

The Aquaculture Act: the board is to be abolished. This I find most concerning. We had significant Aquaculture Act reform some years ago. The value of the board in this regard was considered to be very important. Having an advisory committee when there are new and embryonic aquaculture industries developing, I think, was of great benefit to the government and indeed to the parliament. To now go to a model where the chief executive officer of, presumably, the Department

of Primary Industries, or agriculture, will now directly relate to the minister—there is no formal external advisory committee—I think will be seen as a deficiency.

The Botanic Gardens and State Herbarium Act: they have a board. Again, the members of it will be appointed from cabinet to the minister, who will then have responsibility for that. I declare that I am a member of the Friends of the Botanic Gardens. I will say that recently I read a document, on which I did not appear even as a person who had some interest in this area—I had no notice whatsoever and I asked some other people who are in the Friends of the Botanic Gardens—where they had changed the name from Botanic Gardens of South Australia to Botanic Gardens of Adelaide, or the other way around, I cannot remember now what it was, but there was a complete change of name without there being any consultation with us about what was happening there.

One problem is, and I mention this because we have the Botanic Gardens on North Terrace, the Wittunga Gardens and the Mount Lofty Gardens, which is in my electorate, and every year, with budget cuts, more and more gets squeezed out of the two little gardens and more and more is centralised into the Adelaide Botanic Gardens. Not to say that the North Terrace gardens are not magnificent and need significant resources, but I see this time and time again and it does concern me, if there is going to be a restructure there, as to how that model is going to work.

The classification of theatrical performances into the South Australian Classification Council I think is probably a sensible move. I am not sure what the Speaker would say about it. He seemed to have a particular penchant for little special bodies to deal with the classification of things, whether they be at a state level, irrespective of what they did in Canberra, and insisted on having them in South Australia. Nevertheless, that seems to be a reasonable move.

There is to be reform of the Coast Protection Act and the board that was specifically developed to support coastal protection, in particular to make determinations about what developments should occur. Again, this board will be retained but the cabinet will no longer be appointing it. That will now be up to the minister.

I wrote to the minister—in this case, we are talking about the Minister for Planning, minister Rau—about a coastal protection matter, particularly as there had been an impediment to a proposed development on property on Yorke Peninsula, and I asked to have some questions clarified in respect of how the Coast Protection Act is being applied, and not just by the board in its determinations. If we are going to move from a board and move out the regional consultative committees, again I see some deficiency and weaknesses in that system.

Apparently the amendments make provision for advisory committees to be established. We know that does not happen in a similar circumstance in respect of the coastal protection uniqueness of any developments in those areas and the importance of having the board, particularly for as it is required for various processes under the Development Act.

I remember when several years ago the Minister for Environment cancelled all the consultative committees for parks in South Australia. As some members would probably be aware, there are large tracts of parks, wilderness and reserves across the state, many of which came from particular communities, local government and private family-owned land which was donated and contributed to the public asset, and they often continue to have a role as a local community board as to the activities in the park.

I can recall a number of those as I grew up on Kangaroo Island, and there was a lot of local involvement in the operations of those parks. If there was a decision to be made about whether there would be bees harvested and operating in the parks on a commercial basis, that would be something that the local community would have a say on.

It was an acknowledgement of two things. One is that these lands and reserves were very often from the community and were not designed to be some sort of tourist resort. They were actually designed to be a protected area at various levels to the extent of making sure that they would be kept in some perpetuity. Sometimes it was actually to operate bees within it, for example, so that it would support a primary industry outside. Sometimes it was land that if the native vegetation on it was cleared, it would result in such degradation of the land that it was better to keep the tract of land intact and ensure that it was not subject to erosion and the like.

There was a genuine and continuing involvement in the parks, but the government decided that it would just get rid of these consultative committees. When the government says we are going to make provision for a minister to say that they can establish an advisory committee, I am not filled with confidence as to how that is going to operate.

On coastal protection, let me give you another example. Mr Kerry Stokes owns a property near the south coast near Tungkillo Beach, I think. Tungkillo Beach is one which I wrote to the minister about, because it appeared that Mr Stokes was going to be able to purchase land around this beach, which was in the coastal protection region. It came to my attention because other people who had property around it said, 'Well, if this land is suddenly going to be available and this beach is going to be under the control of private hands, why aren't we allowed to have the chance to acquire the whole of part of this land? Why is it just going off to Mr Stokes?'

The answer is: 'Well, it is, because we can do it and we are going to do it; he is going to buy it and it is going to help us develop one of the walking trails and the like.' That is not a rational or acceptable explanation. I have nothing against Mr Stokes personally, or against him wanting to buy this property—he is probably one of the few people who has the money to do it—but I make this point: there is not much relevance in having a charter in our laws to protect coastlines if it can be breached at will so that other people are left with strict rules against development, and where property is acquired by government hands, believed to be for the importance of protection of a natural resource, and is then on-sold without others having an opportunity to buy it. I see that as totally inconsistent.

The more we remove the role of boards and other watchdogs in relation to some of these things, the more concerned I get. We are moving to a board that is going to be appointed by the minister. That will be in house; it will not have the flavour of the cabinet casting their eye over it, and there will be a removal of the regional consultative committee. I do not see that as auguring well, particularly as the coast goes for thousands of kilometres along South Australia and is going to be run by a minister in Adelaide.

I do not have any comment on the Correctional Services Act reform. I do not have any particular concern with Dog and Cat Management Act. I suspect going from a cabinet appointment to a ministerial appointment will just give more headaches to the minister. It is never an easy thing. There is always one group in the cat and dog owner community that think one way and the other half think another, so that is never an easy task. There is to be reform under the Dog Fence Act, which is to have appointments made by the minister instead of the cabinet. I think that is an unnecessary narrowing, but nevertheless, I do not raise a significant issue about it.

There is a reclassification of the Emergency Management Act to essentially cover, apart from the appointment moving from the cabinet to the Premier, the positions that people hold (chief executives and the like) of various state emergency agencies or departments. They will be reformed so that the position that is held can continue in perpetuity, as I understand it.

There is to be reform of the Fire and Emergency Services Act, in particular the State Bushfire Coordination Committee and the State Bushfire Management Plan. I am assured that South Australia Police are still going to be in charge of those. I found it rather curious that the last time we had a major event here and we asked questions in the parliament about the operation of this coordination committee, there seemed to be very slim consultation with the State Bushfire Coordination Committee at the time. I remember the Premier giving what I think were rather superficial answers in that regard.

I am a bit concerned about how some of this operates. I think, at the end of the day, when there is a major emergency and/or bushfire which is envisaged by this type of legislation—whether it is a plague, major bushfire or flood—we need to have somebody in charge. I think, on balance, that should remain with the Commissioner of Police, and I understand that it will.

We come to the Fisheries Management Act. Now that the boards are going, there is going to be just a direct level of engagement, whatever that means. Essentially, it means the abolition of the boards for various industries, bearing in mind that outside aquaculture the fishery industries rely on mostly natural stock and that the capture of wild fish is in various forms—so of course we have

everything from the prawns in Gulf St Vincent, some in Spencer Gulf, scale fishing, abalone, to rock lobster, etc.

Unsurprisingly, it works quite well because, instead of just having one board or one group that is in charge across all fisheries, if you have a particular interest in a specific fishery, the meetings in respect of that and the decisions to be made are targeted to the area of interest and you are not wasting three-quarters of the agenda on items that are of no interest to the person who is attending. I think it has been a very good working arrangement, and on top of that sat a fisheries council to advise the minister on a general level.

I think that structure has worked quite well, so I am a bit concerned that we are now going to move to a situation where, if the minister is making a decision about the threat of wild stock fishery numbers and wants to introduce a quota restriction increase (for example, on rock lobster) or increase the size of an allowable catch for a scale fishery species (garfish or something of that nature), undertaking direct access to people he or she thinks ought to be consulted is a dangerous path to go down and inevitably will result in cries of foul play and of people being eliminated from the consultation.

Frankly, I think it is lunacy on the part of the government to try to proceed on that basis. If, in fact, there is going to be a structure that replaces it that is more formalised than getting together a group of interested people they think is appropriate, I am happy to have a look at it, but on the face of it I think the government is going down the wrong path in that regard.

Apparently, under the Gaming Machines Act we are going to allow for voting online. I am not sure what is happening with that, and I will ask some questions of the government about that. Under the Gas Act, there will be technical advisory committees merging with electricity, which probably sounds logical as they are both energy providers and it is the service of energy provision.

We are going to have reform of the Genetically Modified Crops Management Act. I think we still have an embargo on being able to progress anything along those lines for another couple of years, so I am not sure if the advisory committee reforms even need to be there, but I suppose there are still trials around and new initiatives need to be put before the committee.

An excellent report was prepared by the Hon. Anne Levy, a former president in the other place, and her committee on GM crops for South Australia. That report must be at least seven or eight years old now, and it is just sitting somewhere collecting dust. I am not sure what the committee does at the moment, but if it is continuing to receive information in respect of new initiatives, whether it is a question of whether Monsanto still has exclusive control over seed or whatever the issue is that is contemporary in that space, I suppose it will have some value.

There is to be abolition of the Health and Community Services Complaints Act, and I remember dealing with this legislation in 2004. It was essentially setting up an ombudsman for health complaints but, instead of just taking out the role of health complaints under public hospital complaints, it was to be more than that that the ombudsman had jurisdiction over. It was to set up a separate health and community services complaints person to deal with private health services and community services.

It was a much more expansive area and role to undertake. Unlike the state Ombudsman, who deals with all administrations in respect of the Public Service, this was to have its own but would move into the independent sector. A number of concerns were raised about it at the time, and one of the ways of managing some of those concerns was to ensure that there was a board and that there could be some representation on that, so I am a bit concerned that that is going. It is all very well to say that the commissioner will be retained because she (I think it is still a she) will still do her job and run her office—she is a bit like a chief executive or the Ombudsman—but I think the board had an important role.

Now we come to the Health Care Act 2008. This was a long and weary debate—I know because I was in it for a long time. Mr John Menadue (he also has an AO, from memory) prepared a report recommending that a number of things be changed in the structure of how we operate the public health system, one of which was that we abolish some regional boards on the basis that we

did not need to have regional representation; we would just have the boards retained in our local hospitals.

In fact, what the government did in this legislation, after they pretended to have this enormous consultation, was abolish the boards completely and then initiate health advisory councils (HACs). Of course, during the time of Mr Foley's role as treasurer, they decided that they wanted to be able to take control of the assets. After months and months of debate and conflict, really, certainly on our side of the house, about the attempt of the government to take control over these assets, it was agreed that the HACs would retain a certain role and the capacity to hold assets, such as money they had raised, and that there would be some protection of that.

However, it was not without a huge fight because the government, which even had advice from their special adviser, decided that they were going to do what they wanted, and what they wanted to do was extinguish local content and take control. They got rid of the boards that were dealing with the—I cannot even remember what they are called now, but we had a northern board, which related to hospitals for the Royal Adelaide Hospital, I think, and the children's hospital.

We had a southern district board, which I think covered the Repat hospital, Flinders Medical Centre and Noarlunga. From memory, I think the northern board covered the Lyell McEwin, Queen Elizabeth and Modbury hospitals. However, the Women's and Children's Health Network was in a separate one. So, we had these metropolitan regional boards and they all got sacked. In fact, I think the chairman of the one covering the Royal Adelaide Hospital was overseas at the time. He probably just got some sort email saying, 'Look, you're gone. You're not going to be here.'

The way that we had a structured administration of boards which had clinical representation, consumer representation, nursing representation, other allied health services and people with administrative skills, was absolutely disgusting by this government. One of the placating aspects to our pleas about how obscene this whole process was was the government's announcement that they would have clinical committees so that there would be a recognition of the clinical expertise, that they would be retained and that they would be able to continue to advise the minister, minister Hill as it was at the time.

Secondly, they would have a Health Performance Council which would do a number of things: it would report regularly to the minister about what was happening in the operation of health services in South Australia, and obviously that largely related to hospitals, and it would provide not only annual reports but also four-yearly reports. We had a report in the last week or so. On 13 November, we got the Health Performance Council annual report for 2013-14, and that tells us the next due date for the reporting of the four-yearly report.

At the time we debated this, it was not just a matter of having an annual report which comes in saying what a great job everybody is doing, how many times everyone goes to meetings, etc., but every four years they had to do an assessment of the performance of our health services and hospitals in South Australia and they had to report to us. Guess when the next one is due: 31 December 2014. That is when it is due to be handed up to the minister. If we pass this legislation, do you think that will ever see the light of day? No, of course not.

I thank the board for letting us know in the annual report that this is due and, whether they are sacked or dismissed or told, 'Don't come next year', or whatever, under this legislation, because it is proposed that they be abolished, I for one will want to see that report. If it is in draft form, keep it there, because I will FOI it and we will have a look at it another time. The point is it does play a very important role. Ms Anne Dunn currently is the chairperson of the council, and I want to thank her and her board for at least being the one scintilla of protection for South Australians having any clue of independent assessment about what is happening with our health services.

We do not get any answers in this parliament. We do not get a true reflection in the annual reports that come through from the HACs, which are all completely sanitised because they do not have access to a lot of the material anymore. We do not have any boards across the department. All we get is the annual report of the department of health—usually late. They are usually months late, actually, each year, and they are pretty sanitised, let me tell you. The Health Performance Council is one body which is able to make some assessment and give, they say, frank and fearless advice.

In fact, interestingly, in this year's report is a quote from Professor Michael Kidd AM, the Executive Dean of the Faculty of Medicine, Nursing and Health Sciences at Flinders University, and he said:

The Health Performance Council has provided an invaluable service to the people of South Australia throughout its existence. The HPC has proven its value as an independent, evidence-based monitor of the performance of our health system and has been empowered to analyse, evaluate and provide advice about improvements that continue to result in real benefits to health consumers and health service providers.

Their job is to, obviously, analyse a whole lot of system performance data and provide that information to the minister and, ultimately, reports that come to us as a parliament. They can review the adequacy and appropriateness of a number of services; more recently, they dealt with the end-of-life care for South Australians; and they maintain a focus on monitoring our Aboriginal health care and outcomes.

That is also important because members may not all be aware that if you look at the Nganampa Health Council, for example, which is the body that has responsibility over the APY lands and the health services there, that body is exempt from freedom of information. They provide an annual report. Over the years, I have usually had a look at it. It is a little colourful brochure that sometimes goes up on the website. It is very scant in its financial information. Over the years, it has got thinner and thinner on content and more and more on pictures.

So, now, if we are to have details, as members of parliament, on the transmission of sexual diseases in children on the APY lands, the incidence of petrol sniffing or marijuana or alcohol abuse or incidents of child sexual abuse and notifications of the same, guess what: we cannot see that. We have come into parliament and asked various ministers over time for answers to these questions and they say, 'We don't keep that detail. Ask the Nganampa Health Council. We don't have to give that to you.'

Who else is there, except the Health Performance Council, that can have any power to ensure that we have health services that are working and the money that is paid in is not just accountable but also effective, and we ensure that we are giving, in this instance, our most remote and most impoverished South Australians a chance to have a decent standard of health service?

I despair at the proposed abolition of the Health Performance Council. I would like to know from the government why it is necessary, and I particularly want their reassurance that we are going to get the second, four-yearly annual report from the Health Performance Council before it is disbanded or dissolved.

The Health Services Charitable Gifts Act, as I understand it, relates to medical research, and it is an advisory board. I am not sure what assets it owns, but I certainly want to know what is happening with them, who they are going to be transferred to, if anyone, and what the structure will be in that respect. In terms of the Heritage Places Act 1993, the minister rather than cabinet will now take responsibility for their appointment on the council.

I despair. I think this government has shown its complete disdain for heritage places in South Australia both in built and natural environments, and it continues to be of concern to me. I am a great supporter of built heritage being utilised and continuing to be occupied and not left to rot. Even though I was critical of the government selling off the Glenside site, the old sanatorium could be refurbished and reused. In this instance, the then premier wanted a cultural precinct, and the Film Corporation went in to occupy it.

I was very critical of the government's plans to use it for anything other than mental health services, but I do accept that if you are going to keep an asset you have to have someone in it so that it can be properly maintained. It just about breaks my heart to drive past the Glenside Hospital now where there is a new part in the back right-hand south-eastern corner of the hospital, with inadequate services, given that there was supposed to be some other development, which has now failed, that was going to accommodate some extra provision for drug and alcohol outpatients. In the front wall, where Renewal SA, on behalf of the government, recently demolished the nurses' quarters adjacent to Fullarton Road, there is still a gouging hole that has not been repaired, and this is a couple of years later, along the front fence.

Every member in here, I am sure, would have examples of where there has been an act or a mission which has left some part of our heritage in disrepair. In this case, Royal Salvage came in, bulldozed the facility, knocked a hole in the wall, and, guess what? It is still there, not to mention the oval across the road, which is devoid of any children playing on it anymore because, of course, the government dug it up and used it to stockpile dirt during the build and has now left it full of weeds. I despair at what has happened there, and any diminution of any kind of watchdog or board in that area I think would be retrograde.

In terms of the Local Government Act, they are going to move the boundary's panel, but that does not really raise a lot of concern for me. I will say that somewhere in there, in the boundary's panel, someone is still dealing with whether Heathpool goes into the Burnside council or the Norwood council. It is in the Norwood council at the moment, and I think they want to keep it. I think that they think the ratepayers of Heathpool have got a pretty good revenue base, and they want to keep the revenue, whereas I think they want it to go into the Burnside council. It has been going on for years. I am not sure what is going to happen to the pending applications.

It is a bit of a quirk of history. Probably, geographically it should have been in the Burnside council, but I understand that somebody who was on the Norwood council at the original drawing up of the boundaries lived in that little area, so the boundary was drawn around Heathpool, but it is in Norwood, in any event. As I have my leader in my adjoining state seat in Dunstan, if he wants to have it, then he can keep it for the moment. I will not be challenging him.

In relation to marine parks, the whole establishment of councils and boards under that legislation is a disappointment at best. It has been an alarming process of non-consultation, particularly of a model where endless meetings occurred, information was presented, submissions were made—all completely ignored. Then local advisory boards were given responses, and decisions were made by government in complete ignorance of what impact they would have on regional communities, fishing industries and recreational activities.

I think that whole process has been a disgrace. People have been dismissed and their ideas and proposals ignored. Merging marine parks in with land parks, when it is already a dysfunctional mess, I think is most concerning. It will raise questions about who is actually going to have the best interests of the marine park environment in a protective sense, when the council is going to be responsible for all the land-based parks, not to mention the Dolphin Sanctuary, and then still has to deal with the marine parks. Already there is negligible provision of funding for its monitoring and enforcement, so I see that that will be of concern.

There is a new process of review of the decisions made and administrative appeals under the Motor Vehicles Act. Usually, a decision is made by a subordinate of the Registrar of Motor Vehicles. There will be an internal person at a higher rank who will review their matter and there will still be, ultimately, an appeal to the District Court.

I am not sure why we have to have that extra level but we do have it in some other legislation, for example, on valuation disputes. If you do not agree with what the Valuer-General has put on a piece of property that you own, you can lodge a review by an internal panel and then you have rights to go on to the Supreme Court or ultimately, if the SACAT bill ever passes, to the SACAT, which is the new tribunal proposed. As long as there is a proper form of review, I do not have an issue about that.

In terms of national parks and wildlife, as I say, we are going to have this new parks and wilderness council. I think I have said enough about that. It is going to be swamped, it is going to be ignored and there is going to be no accountability. I feel quite concerned about that for those areas. The Native Vegetation Act will be reformed again from cabinet to minister. I think there is a disappointment about this and it also relates to natural resources and Pastoral Board matters under this bill. The Minister for Environment is effectively going to have control of a whole lot of things that historically he or she did not.

The Native Vegetation Act is a statewide issue. It should be important to all regions of South Australia, and I think it is important that, even if the Minister for Environment is the identified minister to whom this council, or whatever we are going to have under it, is accountable, it should still be appointed by members of the cabinet and they should have a review and at least have the

breadth in the appointment of those members, because native vegetation is important not just for natural resources but also for other purposes.

Similarly, under the Natural Resources Management Act, the regional boards effectively are going to stay. The council is going to be abolished. Frankly, we are back here under the Natural Resources Management Act and this is a classic example of what was set up to be independent of government and is now almost totally absorbed into the Department of Environment. It was set up as a structure to deal with the management of natural resources independent of all the different agencies—the Department of Environment, the department of primary industry as it was, local council, local government. People have a vested interest in a number of these things, but it was important to have some independence so the boards were set up. Sure, they had to be accountable to a minister, but they were set up on the appointment by cabinet and they were able to operate independently.

Now, for example, if I want to have a meeting with the natural resource management board for the Adelaide and Mount Lofty area, not only do I have to have the permission of the minister to go and see them (because they are now a wholly owned subsidiary of the Department of Environment) but when I wrote, for example, as the local member, to my own Adelaide and Mount Lofty board asking how they saw the significance of their continuing to operate, whether they thought that was meritorious and what their view was under this review, they wrote back to me words to the effect that it was not appropriate for me to have that information, that it was a matter they were reporting on to the government. As it turned out, the government ultimately put a number of the submissions it received from all of these boards on the website, so we would get to read it anyway.

Interestingly, when I did read it, the extraordinary thing about it, to me anyway, was that they were proud of their independence of government, that they were able to give free and independent advice to government and that was one of the reasons they should be continued. Anyway, the government has decided that it is going to continue with none of the boards. The committees within the Adelaide and Mount Lofty board geographical area, which covers about a million people of our state's population, so from Gawler down to the tip of the Fleurieu, is a large area and most of the population of South Australia is in it. It used to be broken up into four regions, but the committees have now gone and we have this one big group left again. I am not sure how that is going to work but, in any event, it is a wholly owned subsidiary of the Department of Environment.

The board of the Office for the Ageing is to be abolished. They are going to have a consultative panel. I was interested to learn that this is going to be one of those alternate consultation model approaches where the minister goes out, as they see fit, to get advice on various matters and that they are looking at an online survey model and the flexibility of that. Well, good luck. We are talking about the ageing community. I do not know how many of them are going to have online access, to be honest.

That is fine for the youth community or for those who are in employment, but it seemed to me, again, this stupidity of trying to have a situation where you have this ad hoc consultation. If people know they have a responsibility to be a point of contact for a minister on an advisory council or a board, that they have a responsibility to turn up to meetings and that they have a responsibility to give advice when asked, etc., then it works. So, if they think they are going to have some website that any person who is over 65 in South Australia can plug into as some sort of substitute consultation, then they can think again because I for one would have a lot of concerns about that.

On the Pastoral Land Management and Conservation Act, there are very significant amendments in this area. What I want to say about this, and I am sure other members will refer to it, is that it is to abolish the Pastoral Board and essentially transfer the responsibility and the decision-making to the minister in respect of very serious matters, including the granting of leases.

Remember this is a large tract of South Australia that comes under the jurisdiction of the current Pastoral Board which will transfer over to the minister, he or she will decide what the term of the pastoral leases will be, make decisions about boundaries and the alteration of them, of course, make decisions about land that is to be protected and make decisions about stock levels.

There are often sheep per acre levels and the like that are set out as conditions of lease, etc. In the early days, sometimes there were stock levels that had to be kept up to be able to justify the

Crown having issued the right to have a lease, and you had to do something with it. Probably more likely now it is used as a monitor to ensure that there is a balance between stock production and environmental protection, ensuring there is no long-term degradation of the area that is under stock.

The other thing is they do such practical things in respect of dealing with mustering cattle and traversing boundaries, these sorts of things which are dealt with and many of which would be dealt with by a local council if they had one, but they do not have a local council. Unlike where I live in Tusmore, their nearest neighbour can be 100 miles away and the precinct where there is some management by the Pastoral Board is massive and extensive and even local councils do not survive up there in the sense of not having the numbers.

We have thousands of square miles, probably millions of square miles, under this area. They do not have a local government, so the Pastoral Board is responsible for this. Sure, they give advice to the minister to provide authority on a number of things or ultimately to issue the leases, but you have an independent panel and they act, in many ways as a land management body or local council to deal with a number of those things.

I have asked for (and I hope I get it before the end of this debate) a copy of a District Court appeal apparently from the Pastoral Board. I am assured that the District Court will remain in the structure as a right of appeal from what will now become a minister's decision if this bill is passed. As I said, that still gives appeal rights, but I had asked that there be a copy of the most recent case of appeal which apparently, as was indicated in the briefing, is available. The transparency that will be lost as a result of this new regime is obvious, so I will let other members talk about that in more detail, but I for one am most concerned about it.

I will not deal with the Phylloxera and Grape Industry Act. I think it has been indicated that there will just be a change from the board to a minister under its abolition and it may be past its use-by date. Under the Public Employees Housing Act, the advisory committee is to be abolished and they are taking the assets in-house. I have asked, and I would ask this be made available by the minister in response, how many houses are left in the public employees housing stock? These are not Housing Trust houses; they are houses that are owned by the government, often sprinkled out in country and remote areas. They used to accommodate teachers and nurses and so on who were living in towns. Over the years, a number of them have been sold, and I am not sure there are many left, but I would like to know how many there are and where they are.

As to the SACE Board, again, I would like to know in this area what the government plans as their alternative model. This is part of the consequential amendments to the Ministerial Youth Council being abolished, but if there is anything more substantive on that I would like to know what the board itself has said about it.

Then we have the South Australian Forestry Corporation. There are amendments here where there will be a cabinet to minister. I am not sure what they are left with. I have asked for a list of what the board are left with under their watch, and I would ask that it be provided. It may be that they have an ongoing role in relation to the South-East forests, of which I think three rounds have been sold. They may have some monitoring role in respect of that, but I would like to know what else they are left with. I think that one of the forests up in the member for Stuart's electorate has all been burnt to pieces, not Bundaleer but—

Mr van Holst Pellekaan: Wirrabara; Bundaleer was burnt two years ago.

Ms CHAPMAN: Bundaleer was burnt two years ago; that's right—and we have some forest in the Adelaide Hills. We have some forests on Kangaroo Island; I think everyone is ready to dig them up now, so they are not much use. I would be interested to know what is left for this board to continue a role in.

The South Australian Housing Trust Board will continue, but not the Affordable Housing initiative, which I think was announced by the Premier, when he was the housing minister, in some great speech about how important it was to have advice from this board in respect of affordable housing. It was the new initiative of the government when we did the Affordable Housing Bill. Members will know that I spoke for around 7½ hours on that one. For new members, I do not plan to repeat it, but I will say this: again, like the Health Care Act, we were given assurances about these

bodies being there as some watchdog, some adviser to the minister, to make sure that there was some check on these things, so their removal is concerning.

The South Australian Motor Sport Board is to be tipped in with the South Australian Tourism Commission, but the Tourism Commission itself is to be abolished and have an amalgamated internal arrangement for the supervision of that. I think that is a huge mistake. I recently met with the Tourism and Transport Forum (TTF), which is headquartered in New South Wales (in fact, the Chair, Mr Bruce Baird, has just retired) and provides a valuable summary of infrastructure that is identified as being a priority within all the regions around Australia.

I find that South Australia's content by this body is impressive. It is well researched and usually coordinates a number of pieces of infrastructure which need some priority attention if, in fact, we are going to promote tourism in this state. The transport infrastructure to go with it is critical. They have recognised, and certainly submitted to me and, I am sure, to others in the house, the importance of maintaining the tourism board. I think the government's decision to abolish this is most concerning. I do not know where the Minister for Tourism is—

Mr Gardner: That would explain the regular pair requests.

Ms CHAPMAN: That must be. Being the Minister for Tourism is not all about going along to fun activities such as football matches; you actually have to do something. You have to make sure that South Australia's regions do have the right infrastructure. I do not know whether he just missed the cabinet meeting when they made the decision on this or whether he thinks it is a good idea. If he does think it is a good idea, he needs to come into this house and explain to us why he thinks abolishing the tourism board and just lopping in the motorsport group is some advantage that is going to help the industry.

We keep hearing minister after minister, and even the Premier, talk about how critical this is to our state, and why you would just dismiss people who have experience, knowledge and expertise in this area is completely beyond me. I know that many people in the opposition are very concerned about this, and we certainly want some answers from the Minister for Tourism.

I am coming near the end. The South Eastern Water Conservation and Drainage Act relates to a matter at Eight Mile Creek, I am told, so I do not have concerns about that. In relation to the State Lotteries Act, apparently we will still have a commissioner to oversee the scrutiny of the lottery industry. I am not sure what is left of it because the government has sold the big bits.

Mr Knoll: Did we take that to an election? I don't remember taking that to an election.

Ms CHAPMAN: No, so I am not sure what he or she is going to do as a commissioner, whether they are going to be in charge of the lotteries at the Burnside RSL Club or some raffle prizes for which we need to apply a licence. I do not know what they will be doing, but apparently we still have some lotteries that occur and therefore we need to have a commissioner to do it.

In regard to supported residential facilities, the advisory committee is to be abolished. We are yet to see what happens with any other support there. One issue that is concerning to me is that we have community visitations through the community visitors program. Although local governments have the licensing arrangements for SRFs, many members in Adelaide will find that they have SRFs within their local area and their local council usually licenses and manages them, but it has been an area of tension between government and local government over a number of years as to who should really be taking responsibility because these are no longer single men's quarters, if I can put them as simply as that. They are, in fact, people with high levels of need, sometimes mental health and multiple needs, who require a lot of support, and I would like to know that the community visitor program is going to continue, whoever is going to be in charge of it.

The Urban Renewal Act will get rid of the Housing and Urban Development Industry Advisory Committee and I think there is a residential consultative committee. They have no members and probably should have gone when we dealt with the Urban Renewal Act last time we had it open, but that is just to cover that, and as shadow minister I have not been made aware of any complaints or concerns about that.

In relation to wilderness protection, for all the reasons I have said before, I think it is a mistake to wrap all these parks and wilderness areas into one and extinguish local content. That, to me, will not serve us well. There are a number of other boards and committees that have gone by regulation and they have already disappeared, so I will not be making any comment about those, but it is a long list.

There are some questions that we still have on a number of these. We will not be holding up the passage of this bill in this house. Obviously there are a number of concerns that I am sure members in this house will have about this bill, but we do need to have some answers before we are simply going to sign up to the passage of this bill, with or without amendment, in another place.

Mr KNOLL (Schubert) (17:08): I thank the member for Bragg for her comments. Instead of seeking to go through each of the boards, I would like to concentrate on two parts of the reform package—one that is part of these bills and one that is part of the wider reform process that the government has talked about. The first of those is the South Australian Tourism Commission board which the government is seeking to get rid of through this bill.

Firstly, I would like to highlight some of the good work that the SATC has done to date because it is quite extensive. For the uninitiated, the purpose of the SATC is to work with industry to jointly deliver marketing events, development programs that support tourism growth, and to help the government achieve its target of \$8 billion in tourism expenditure in South Australia by 2020.

We have seen the mucking around of these figures and during estimates we did discuss whether or not this figure is ever going to get reached in light of previous targets, but that is okay. We will accept that and we will move on. The first real highlight achieved in the last 18 months by the SATC, especially with input from the board, is the Barossa. Be Consumed campaign.

On that score, I would like to commend the SATC and the work of the board on that campaign, and the good that it has done not only in bringing about a 16 per cent increase in tourism numbers to the Barossa over the past 12 months but also for the awards that it has won. I know that ad campaigns should not necessarily be judged on their awards, but every time one of these awards comes out it does reinforce the attention back on the Barossa and the Be Consumed campaign.

The ad won the Festival of Festivals Award for the world's best tourism film of 2014; the Cannes Corporate Media & TV Awards, grand prix and gold for best tourism marketing; the Berlin Golden City Gate tourism awards master award; the Warsaw Film, Art & Tourism Festival special award; the Riga Tourfilm Festival, first place in the category of commercial tourism; the International Festival of Tourism Films, Bulgaria, winner of the corporate film category; the Zagreb Tourfilm Festival, grand prix, best film and best director; the Baku International Tourism Film Festival, grand prix and best director. That list is extremely international and would certainly test anybody's European linguistic skills, but it goes to show how successful and internationally acclaimed is the work that the SATC has done here in South Australia.

Some other key achievements mentioned in their annual report talk about supporting the development of premium tourism experiences across the state. I do know that they have done some work in the Barossa around premium tourism experiences and it is something that we are very much taking on board in the Barossa and the Murraylands to try to attract those high-end visitors to South Australia, and the SATC has been very good in helping us to achieve that.

The SATC has also invested in tourism infrastructure critical to attracting high-yield travellers, and that has been fantastic, and has also continued to build partnerships and opportunities for South Australia's tourism operators, with Tourism Australia's Best of Programs, including the ultimate winery experience—if you want to experience that, please come to the Barossa—Indigenous tourism, great walks and golfing experiences. The SATC has long been lauded as a great organisation that has done much to help bring about investment and positive attitude towards our local tourism industry. Indeed, it is a hugely important industry, employing 18,000 people and has an annual expenditure of \$5.2 billion, and is a significant contributor to South Australia.

I have had discussions with the minister on and off on a reasonably informal basis, and maybe I can give some answers to the member for Bragg. The minister stated to me in broad terms that the reason he wants to get rid of the SATC board is that 'other ministers don't have to report to boards, so why should I have to?' That was genuinely as nuanced an answer as I got: 'for instance,

the Minister for Infrastructure doesn't have a board that he has to report to and the Minister for Minerals and Energy doesn't have a board he has to report to, so why should I?'

Can I say that there is something fundamentally different about the SATC board and about the tourism industry. First of all, it is an industry of 18,000 small operators from across the state, but those 18,000 small operators need to come together to collectively market South Australia to Australia and the world, and indeed even in South Australia, where we saw the government spend \$130,000 advertising Adelaide to Adelaideans in February, a month before the election, during the busiest month of the year, but that is a separate issue.

This industry needs to come together to have a collective voice in order to market its experiences to the world, and the best way to do that is having an industry-led body, a body that has industry buy-in, to oversee that collective voice so that we get the best bang for our buck and the best return for our money. If government was to input into this role, as I do think government has a responsibility to do, it would come under the auspices of something we could call the South Australian Tourism Commission. If we genuinely wanted buy-in from the industry, we should have a board that helps to oversee that money so that they are actually able to make real decisions for the tourism industry and bring their collective real-world industry experience to bear on the more than \$50 million worth of funding that the SATC administers.

Having said that, what the minister is seeking to do is to abolish this board and replace it with a voluntary advisory panel that will meet not monthly but every eight or 10 weeks. It will be a voluntary panel that advises the minister. This is something that the minister can ignore, if he or she so desires, and turn what is otherwise a board with strong oversight and power into something toothless like so many other government boards and committees that will probably be swept away in the next reform package when it comes up.

There has been a lot of support in my region for keeping the SATC board. The one comment I have had is that it would be good for it to have increased rural representation, and that is something I think the minister should take on board, but, certainly, the SATC has a lot of support for being kept in my region. The SATC board exists under the SATC Act and provides expert advice to the minister and chief executive. It meets monthly and enters into an annual performance agreement with the minister. It produces an annual report. From all our evidence, the board has consistently satisfied its agreed performance. There are no performance issues that we are dealing with of the current SATC board.

This board does cost \$168,000 per year but, apart from what is otherwise a negligible saving (and I will come to why shortly), there is no other reason to abolish this board. At present, the board provides strategic direction for the tourism industry (and I think that is a hugely important role) with a reasonable degree of autonomy. Under the current structure, there is far less opportunity for political interference, and I think that is fantastic because it gives the tourism industry confidence that the money is being spent properly and appropriately for the best interests of the South Australian tourism industry, as opposed to government objectives.

The proposed model would see the minister and the chief executive gain complete control over the SATC, with no effective independent oversight. Basically, the minister would be able to get what he has told me he has always wanted, and that is complete and unfettered control over the more than \$50 million worth of funds that the SATC administers.

If we travel around the country, we can look at experiences and ask, 'Is this the norm in the rest of the country?' No, Deputy Speaker. Apart from ACT, I understand, all other states have a tourism board reporting to the relevant minister. The South Australian tourism industry is worth, as I said before, \$5.2 billion and they want to get to \$8 billion by 2020. If we see a weakening of industry engagement within this very important sector, we will see us stray from being able to achieve this target. While the government may argue that portfolios of greater value have operated without a board, the tourism portfolio's objective is to deliver products and services, those services to be delivered by the 18,000 diverse operators. Those operators need to be engaged in the process, and a toothless voluntary advisory panel is simply not going to be able to do that.

In the minister's push to get rid of the board, he cited, in an open letter, the support of the chair of the South Australian branch of the Australian Tourism Export Council, Mr Paul Brown, who,

he says in the letter, 'was included in this process and is supportive of the government decision'. It says that, 'Mr Brown has accepted a position on the new industry panel', along with other organisations, basically saying that Paul Brown from ATEC is on board with the process. We have received an open letter to all South Australian MPs from ATEC in which ATEC and Paul Brown, the chair, say the following:

We are writing to you as an industry organisation that is highly troubled by government decisions that will negatively affect the future prosperity of tourism in South Australia. The South Australian government has recognised the significant contribution in its Tourism Plan 2020 and identifies tourism as a key driver of the South Australian economy.

With this in mind, we believe the Weatherill government has made the wrong decision in disbanding the advisory board to its tourism marketing organisation, the SATC. The SATC consists of skills-based positions from a range of areas, including industry and non-industry experts. This board has been responsible for building the current tourism strategy to take the industry through to 2020. We are highly concerned that this decision will take responsibility away from a skilled and independent board and deliver full oversight to the tourism minister.

That does not sound like a ringing endorsement of the government's strategy in regard to the SATC board. In fact, I would contend that it is fairly well the opposite, and I think the minister has it absolutely and completely wrong.

The minister could argue that this is an isolated case but, unfortunately, I do not think it is. I refer to comments made by the president of the AHA who, I understand, had a successful lunch today. The president of the AHA, Peter Hurley, said the following in his president's report. He states:

The idea is a result of Premier Jay Weatherill promising to scrap all government boards and committees unless they can make a compelling argument for their continued existence. There are some 440 such structures. No doubt there would be waste and duplication in many such committees and boards. However, very few oversee a \$50 million budget. An independent board provides a clear separation from government and the right balance between the political element inherent in government and the focused objective view that only a board can bring to the commerciality and complexity of the tourism industry.

That again does not seem like a ringing endorsement. I go on then to read a letter from Margie Osmond of the Tourism and Transport Forum. Her letter to members states the following:

The decision to abolish the SATC board threatens to stall the momentum of increasing the tourism industry and with it the economic growth and jobs that a strong tourism industry brings. TTF has long supported the presence of an independent commercially oriented and expert board to oversee the strategic direction of the SATC and we strongly oppose any proposal to abolish it. For a relatively small amount of money the state is able to leverage the expertise of some of the industry's most recognised contributors. We also believe there are questions around whether or not it is appropriate to force the SATC board to merge with other agencies or facilities that in fact may be competitors.

So, Margie Osmond and the Tourism and Transport Forum certainly do not support the government's position on this. That is in addition to the many voices that I have heard locally on this issue. I would like to think that maybe the minister needs to get out there and open his ears, genuinely for once, to understand what the industry is saying about this issue.

The minister has form on this in not wanting to hear independent voices, not wanting to hear dissenting voices to his otherwise august and wise counsel and wise decision-making, and that comes in the form of his disagreements with the South Australian Tourism Industry Council. In particular, SATIC has had much of its funding cut this year, and there has been some discussion about why. We did tease out some of this in estimates, and minister Bignell did try to give us some of the reasons. However, it is becoming more and more clear that SATIC's voice of criticism about the South Australian government is one of the reasons why its funding has been pulled back. We have a minister who does not want scrutiny, does not want dissenting voices, does not want to hear anybody's opinion but his own. To that end, SATIC, which has been quite vocal about this, said in relation to comments by the minister:

The board was surprised at the insinuation that the future funding of the South Australian Tourism Industry Council was dependent on the tenure of their CEO.

The idea is that, if Ward Tilbrook stays, the money goes. Can I say that it is absolutely disgraceful of the minister who has form on this issue. The longer we go on with this process the more apparent it becomes to members of the opposition that this is a man who merely seeks to hear no voices other than those who say yes and applause when he dares to speak.

In the bill that we are discussing there is a section to remove division 2, section 6(2) of the South Australian Tourism Commission Act 1993. The section that I think the minister really would love to get rid of provides:

Anything done by the board in the administration of the Commission's affairs is binding on the Commission.

The idea is: how dare someone other than the minister himself actually have responsibility for something, that somebody else's voice could dare have wisdom, courage and strong direction, other than his own? And this is the part about which I really think he grinds his teeth, the part that he would really love to get rid of.

On this side of the house that is not something we accept. On this side of the house we do believe in industry buy-in in a real and genuine way. On this side of the house we understand that, if you want an industry to commit, buy-in and work with a strategy that the government sets down, you need to give it real powers in order to have influence over that strategy, and everything that the minister is seeking to do, with the abolition of the board, is in countenance to that fact.

I would like to move on to a second set of committees that will be subject to reform under this process—the hospital advisory councils. I will not go back over old ground and discuss hospital boards and their diminution and the powers that were taken away from very well-meaning, dedicated, local volunteers who gave of themselves to try to improve local health services in their area. We will leave that aside for the moment.

I actually sit on one of my hospital advisory councils, and I think at the time they thought it was quite novel. The local member gets a representative on the HAC and when they asked who I wanted my representative to be, I said, 'I'll do it. I'll do it because I think it's a great forum to get involved with, and also it may be one further step in the process to seeing a fantastic new health facility in the Barossa.'

I would like to commend the presiding member of the Barossa and Districts HAC, Kimberley Casey, who is a senior nurse at Angaston Hospital. She is a woman who takes so much of her own time to give back to her industry in a voluntary capacity. She cares, she is committed, she is diligent in running the organisation and she has no ulterior motive. She is there merely to try to get better outcomes for health services in the Barossa, and for that, I commend her.

My HAC was very concerned about being part of this process. We have been reclassified. We are not a hundred per cent sure what that means. We understand that it may just remove some of the reporting requirements to give annual reports to the parliament, but that has not been made clear in any formal way.

I really want to put something on the record in my last couple of minutes, and that is this. The main concern that my HAC has, that I have and, I am sure, that other HACs have, are around the money that we administer. This is money that has been hard earned by my community. This is money that has been fundraised, bequeathed and given to the HAC and most of it has been given in the hope—and maybe it is a vain hope, but I am certainly young and optimistic enough to think that that hope is genuine—that one day we will get a new health facility in the Barossa.

The Barossa stands ready to commit many hundreds of thousands of dollars—in fact, millions of dollars—towards a new health facility. The community itself will buy in and give of its own funds to the construction of a new facility, and my message to the minister is this: do not touch it. If there is any move through this HAC process to get at the funds that my community has worked hard to painstakingly raise, the minister will have a fight on his hands the likes of which he has not seen. The level of feeling and the level of angst in the community over this issue cannot be overstated.

Indeed, I had a conversation with a woman whose relative has passed away and who is in the process of donating a significant sum of money to the HAC. Her major and only concern was that she did not want to see the money taken away. He wanted to make sure that the money he had accumulated over his lifetime, which he was willing to bequeath to the HAC on his passing, was going towards that health facility the Barossa community has waited for for so long. I have put that message on *Hansard*. I have given that message very clearly to the minister, and we will wait with earnest anticipation to hear his response.

Mr VAN HOLST PELLEKAAN (Stuart) (17:28): I rise to speak on the Statutes Amendment (Boards and Committees—Abolition and Reform) Bill on behalf of the people of Stuart. I will just touch on a few issues because our deputy leader (member for Bragg) has gone into good detail with great clarity in regard to the arguments the opposition will put for keeping some of the boards that the government would like to do away with—boards we think it would be important to keep. It has also been a pleasure to listen to the member for Schubert and to hear him speak so well on behalf of his community in the Barossa Valley.

Let me just start by saying that I think there is merit in what the government wants to do in terms of getting rid of some of these government boards and committees. From an opposition perspective, we are not philosophically opposed to that at all. We agree, in fact, that there is significant waste that could be reined in and there is significant efficiency that could be gained by much of what the government wants to do. I think that is a very positive step, but to say, as the Premier did, that he intended to get rid of all of them unless the relevant ministers could make a case to him for keeping them, I think, is fairly short-sighted.

Yes, by all means pursue the efficiencies, and I do not know whether it is one-quarter, one-half or three-quarters that should disappear, but certainly the principle of improving government, saving money and having a far more efficient system and, quite likely, taking a lot of red tape out of the system is very good, but to say, 'They all go unless I can be convinced otherwise,' is probably going a bit too far. That is why there are only 105 or so which are going to go out of the 430-odd boards that actually exist because I think, between making that announcement and talking with staff, agencies, ministers, departments, the Premier realised that was probably a bit far-fetched, the reach that he hopes to have to begin with.

Another thing that needs to be considered in this argument, in addition to efficiency and savings, is the need to make sure that people do still get to have a voice and that the government does still get good positive general feedback, whether it be from a highly paid board full of experts as exists quite regularly in metropolitan Adelaide. I support that principle. They might be highly paid compared to the average wage but in many ways the advice that is given is almost priceless to the government, so there are times where that is money that is very well spent, not necessarily every single time but certainly there are times where that money is well spent.

It is also important to give people a voice in regional areas. It is not as easy for a regional person to communicate with the government or with a government department as it is for a city person. Of course, telephones work wherever you are and emails work wherever you are, but if you do have something good to contribute and you pick up the phone or you send an email and the person at the other end says, 'That's great. We would welcome your contribution and your feedback,' as I hope the government would do quite regularly, 'come in and have a chat to us,' that is when it starts to get more difficult.

To actually feed the valuable information that rural communities have into government processes and government decisions requires a little bit more organisation and often requires regional meetings, and there are a quite a few organisations that contribute very positively. If their group, their organisation, their board or their committee was disbanded there would not be that structure for them to come together to contribute the value that they do have to contribute. So, I would caution the government on assuming that one size fits all or one assessment process will suit every board or committee that already exists. There is certainly great value in regional people coming together to discuss issues and to put together a united representative voice, which then can be sent down to Adelaide, and I would object to removing that.

The deputy leader mentioned the boards and committees about which the opposition intends to put forward amendments to this bill, but I will just talk on two of them specifically that are very relevant. They are not the only ones but probably most relevant to my electorate. One area is health and the health advisory councils, and the member for Bragg talked about the history of that. I became a candidate for the electorate of Stuart in May 2008, nearly two years (22-odd months) out from the 2010 election. That was at the height of the rural community's furore across South Australia at what the government wanted to do to country health. Former minister for health, minister Hill, was front and centre in that. He was leading the charge on behalf of the government. I can tell you that it is burned into my brain and will be forever, for as long as I work as a member of parliament, how

critically important and how highly valued country hospitals are. It has been a real victory for country people in that the government did not get to do nearly as much as it announced it wanted to do, but we have lost a lot as well.

One of the things that was a real slap in the face to rural communities all across South Australia was the removal of hospital boards. Hospital boards were not perfect and, if I had my way I would have looked to improve them, but to remove them was completely wrong and to replace them with health advisory councils was a big mistake—and keep in mind it is not about the name. Who cares what you call it? That does not really matter. What went with that replacement was a significant amount of local capacity to contribute genuinely to real decisions that were happening in the health space in regional South Australia. I am not talking about specific medical decisions; of course, you leave those to the health professionals.

The people who represented their communities on the hospital boards were doing so as a conduit, essentially, between the medical professionals and the community, and that conduit has been taken away by the introduction of the HACs. It is very hard to get good, capable and responsible people to even want to be on HACs these days because they are a bit fed up with the process. They just think they are going along, paid a bit of lip service, but they have not really got the capacity to contribute genuinely. It is still a centralised process. They say what they think should be said, they suggest what they think should be suggested, and then they get a message back from Adelaide that Adelaide is going to do to country health what Adelaide thinks should happen regardless.

I am privileged, as are other country members of parliament, to be able to nominate people to be on HACs. I thank enormously the people who do that, but I can tell you it is not even possible to get people who want to do that in every part of my electorate, let alone every part of the state, because that decision-making authority has been taken away.

The Minister for Health has said that HACs will remain which is a lot better than nothing. I thank him for that decision, but I am concerned by something which was in the letter from the Minister for Health to HAC presiding members which was they would remain but they would no longer be government boards. I do not know what that means and I offer the Minister for Health the opportunity to answer that question and, if he is not able to do so for one reason or another, I am more than happy to take that up at the committee stage of the bill.

What does that mean, that they will remain but they will not be government boards anymore? Does that mean that they have to book their own meetings, buy their own tea and coffee? I mean, these are volunteer groups, they are not paid people. Does that mean that they are completely outside the health system now and essentially they can organise themselves any way they like? I do not know and I seek an answer on that.

I am also firm on the retention of the Health Performance Council, as are my colleagues, because that is a very important council, in my opinion, because it brings together an overview as the name suggests of health performance. It gets to point out some things, not in a political way, far from it, but it gets to point out some things that link to the community. Perhaps if you are working deep inside the health system—and we can all understand that when you work deep inside a system sometimes you do not see the wood for the trees. The recommendations of the Health Performance Council and their observations have been very useful in the last few years. They are not scathing attacks of the government or anything like that, but they are very useful observations, so I think it is very important the Health Performance Council stays.

Deputy Speaker, I now turn to the Pastoral Board and, as you would know, I have spoken perhaps a month or so ago, maybe six weeks ago, in parliament about my very strong views about the fact that the Pastoral Board should not be removed. It is one of the boards on the list that the government has said it will remove, and I will fight very hard with my colleagues to prevent that from happening.

The Pastoral Board is not perfect; in fact, my criticism of the Pastoral Board in this place and in broader discussions is that, over the past several years, it has not actually used the authority that it has. I have been very frustrated that, when it has come to fencing issues, it has not used the authority that it has to actively resolve disputes between neighbours. When it comes to issues regarding wool-shedding sheep not staying on properties, or the issue of wild dog eradication, the

Pastoral Board, in my opinion, has not contributed enough to those debates. That is not to say that it has not done anything, but I believe it should have done more, and should continue to do more towards those problems for the benefit of all pastoralists.

It is a difficult situation. You get a small group of pastoralists who have an issue that needs to be resolved, and the Pastoral Board has to take the side of what is best for all pastoralists. It is not about figuring out who your best friend is on which side of the fence; it has nothing to do with that at all. While I have at times been disappointed in the Pastoral Board in that way, I do think it should stay because to remove it and replace it with nothing is completely unacceptable. There are very real, very genuine issues with regard to the oversight of pastoral leases across the arid parts of South Australia which must continue.

I have had very productive and cordial discussions with minister Hunter from the other place on this topic, and I thank him for that. I do not get the sense that he is trying to take over the Pastoral Board, or the pastoral world, or anything like that. Minister Hunter has met with me on a couple of occasions and we have had other chats in the corridors. He has discussed this issue with some pastoralist constituents of mine, and he has invited me to bring a very small representative group of pastoralists to come to talk with him on another occasion as well, and I put on record my thanks to him for that.

It is also very clearly on record that I oppose the takeover of the Pastoral Board's current responsibilities by the Department of Environment, Water and Natural Resources, because the Pastoral Board is not just there to only look after the land. That is an absolutely critical, super high priority that I support entirely, but it is actually about trying to determine how best to support pastoral lessees in their primary production and small business capacity to use the pastoral land responsibly.

It is not about doing everything necessary to protect the pastoral land, and then if there is any capacity left over for people to make a living in the pastoral industry, then that is okay. In my view, it is actually the other way around: it is actually about how we can give pastoralists the greatest capacity and the most opportunity to run their small businesses on pastoral land and at the same time require of them that they manage that land responsibly.

If we did not have pastoralists in the pastoral areas of the arid lands of South Australia, they would very quickly become an environmental nightmare. They would become an environmental nightmare were it not for the good work that the vast, overwhelming majority of the pastoralists do to look after that land. I will continue to work with minister Hunter, my colleagues and pastoralists in Stuart and other parts of the state to try to come up with a good alternate solution—a way of improving what happens at the moment but, until there is one, I will vehemently oppose the removal of the Pastoral Board.

I would like to give some credit to Livestock SA for contributing to this debate in a responsible fashion. They held a meeting at Marree a month or so ago, but I was not able to get there as it was a parliamentary sitting day. They are holding another meeting in Port Augusta this Friday, which I will be able to get to for the last part of that meeting. They are trying to contribute solutions and suggestions to the best way to move forward from this. They are not trying to be stick in the mud type people and say 'No, forget it, no changes. We refuse to improve.' They are saying, 'Look, what is the best way to go forward?'

It is important also to say that Livestock SA, and specifically their northern region which is headed up by Colin Greenfield who is a pastoralist for whom I have very high regard, do not represent all pastoralists. It is important to put that on the record too. There are many pastoralists who are not members of Livestock SA, but good on Livestock SA, as the grazing arm of Primary Producers SA, for trying to be really positive and contribute to this debate.

I look forward to the opportunity to consult with my constituents and other pastoralists around the state to get their knowledge and expertise, because remember, of course, I am not a pastoralist. I suspect I know a lot more about it than any other member of parliament, but I do not know nearly as much about it as the people who have spent their whole lives living and working on sheep and cattle stations, so I take their counsel extremely seriously.

I look forward to consulting with those pastoralists and coming back to minister Hunter, presumably when parliament resumes after Christmas, with a positive, genuine, productive

suggestion with regard to what we should do for everybody's benefit to improve the work that the Pastoral Board already does. Until some solution like that can be agreed to I will certainly oppose the removal of the Pastoral Board.

Mr WHETSTONE (Chaffey) (17:46): I too rise to speak on the Statutes Amendment (Boards and Committees—Abolition and Reform) Bill. The member for Stuart, as he said, has followed the Pastoral Board with keen interest for a long time—I think since we came into the parliament together. He has had a keen interest from day one and his commitment to that does give him knowledge. He meets with the proponents of the Pastoral Board and he is there because his electorate is reliant on good information being fed back, whether or not it is from the Pastoral Board.

It will be determined whether the Pastoral Board has a future, and I think it is one of the boards which particularly has experience under its belt. It has members who live it and breathe it and who have had generations of that knowledge passed down. They really are important for the future direction of the pastoral country, because it is not easy country; it is almost undefined country.

It is open country that is out in the arid lands and, as was previously stated, if those people were not there, the government could just come in and lock the gate. They could just come in as they have done with a lot of the conservation parks and some of the national parks where they only have a certain amount of funding to look after. They only have a certain amount of resources to manage large parcels of land. In some cases they lock the gate and walk away and the result is more and more feral animal pressure, more pest weed pressure, and less presence, less knowledge, and fewer people there managing the land, so that is one of the issues.

When the Premier announced the review of all South Australian government boards and committees, he stated that the boards and committees needed to justify their existence and that they would be abolished unless they could demonstrate that they have an essential purpose that cannot be fulfilled in an alternative way. I totally agree with the Premier that we do not need duplication. We do not need mouthpieces that achieve nothing. We do not need boards that cost the taxpayer and really do not set the wheels in motion, so he has put a lot these boards and committees on notice.

There is another agenda as well, and that is that some of these boards and committees have been outspoken. They have been the squeaky wheel, they have been there for the benefit of their industry, their group or their representative body, and they are there with the knowledge and the know-how of the needs of these industries. I feel that more of them need to be retained than be abolished. Of the 429 boards, 90 were retained, 107 were abolished, 17 were merged, 72 fell under another reform, 120 were reclassified and 33 are still in consideration. This will reportedly save about \$5½ million over the forward estimates.

I guess what we have to do is look at it and say, 'What are our priorities?' We are going to get some savings and I think that is good. Any business, any model or any government has to look for savings and efficiency gains, but what is the balance? What are they going to lose and is there any benefit of the boards that are going to be abolished? Perhaps not, but in many instances the boards have been vital in progress, particularly if you look at research and development in agriculture. A lot of the boards and committees that have been a part of that R&D for many years have been defunded out of existence and they are long gone. We hear the Premier and many of the ministers saying that we want to be part of the future and we want to be state of the art, yet in many instances there is nothing backing up how we are going to be part of the future when we are relying on R&D.

Some of the countries that are R&D driven, particularly the Scandinavian countries and Germany, are the R&D capitals of the world. They produce the latest and greatest technology. They enable other countries to come in and purchase that technology and then go out and mass produce it elsewhere. They make the world a better place, and that is what South Australia wants. We want to be part of that R&D economy, but we are at risk of losing that R&D drive and those R&D funding processes. In most cases it is led by committees or driven by boards to put advice forward to government and bureaucrats as to where they can best spend their money and get the most bang for their buck.

One thing that was strikingly clear through the review was that South Australia, as I said, had too many boards and committees, and for too long they basically went unchecked and unexamined. In some cases, we have had boards advising other boards and so on, and I think that is crazy. It is

remarkable that it has taken some 12 years to realise that we have boards advising boards, wasting a lot of money in duplication. In a lot of cases they have created an existence for their own wellbeing; that is, they create rules and regulations, and advise for their own existence. I think that is really unhealthy.

I will touch on the Pastoral Board. As the member for Stuart said, we need to keep that experience. We cannot afford to lose that experience, because it is a generational thing, particularly in pastoral country. We do not just get people or green fingers who come in and manage pastoral country. Normally it is passed down through the generations, and that experience is vital, because it is a tough game. It is an arid landscape and it is very, very hard to survive. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting extended beyond 18:00 on motion of Hon. J.R. Rau.

Resolutions

OMBUDSMAN

The Legislative Council passed the following resolution to which it desires the concurrence of the House of Assembly:

That a recommendation be made to His Excellency the Governor to appoint Mr Wayne Lines to the Office of the Ombudsman.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations) (17:55): I move:

That the resolution be agreed to.

Motion carried.

Personal Explanation

EMPLOYEE OMBUDSMAN

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations) (17:55): I seek leave to make a short personal explanation.

Leave granted.

The Hon. J.R. RAU: Today, in the context of a debate around the amendments to the Fair Work Act, a series of questions was asked in relation to interactions regarding the Office of the Employee Ombudsman. I was asked, in particular, why I had not picked up the phone and spoken to the Employee Ombudsman and made certain suggestions. I indicated my recollection was that I did not think it was appropriate for me to do that and I did not do that. Those remain my views.

I have, however, asked the department to check whether there was any other communication at around that time with the Employee Ombudsman, and I can indicate to the house that, on the basis of advice provided to me by the department, there was an exchange of two letters, the first letter dated 7 March 2014 directed to Mr Brennan regarding the fact that he had just been charged with criminal charges and inviting him to do certain things, and, secondly, a response from his lawyers, which I responded to dated 7 April. I table both those letters.

At 17:57 the house adjourned until Wednesday 3 December 2014 at 11:00.

*Answers to Questions***UNANSWERED QUESTIONS ON NOTICE**

51 Dr McFETRIDGE (Morphett) (27 May 2014). Why have questions Nos 505, 507, 508, 511, 512, 513, 514, 515, 516, 517, 518, 519, 521, 522, 523, 524, 525, 526, 527, 622 and 623 from the Second Session, 52nd Parliament not been answered?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

All House of Assembly questions on notice from the Second session of the 52nd Parliament have lapsed due to the proroguing of the 52nd Parliament.

DISABILITY SERVICES GRANTS

67 Dr McFETRIDGE (Morphett) (12 August 2014). Which group/organisations received an increase in grant payments from 2015-16 to 2017-18 for disability services and how much did they receive?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The disability grant program currently funds 95 organisations. These organisations are typically receiving funding for a period of three years, with agreements in place for the period 1 July 2013 to 30 June 2016.

Variations are made to these grants throughout the term of the agreements for:

- New services being contracted out, or services terminating;
- The transition of clients and funding to the National Disability Insurance Scheme; and
- Other matters which may arise during the life of the agreements.

The transition of disability service provision from the state government to the National Disability Insurance Scheme is expected to commence from 1 July 2016, which will have a significant impact on the amount of funding which the state government contracts for service provision under any grant program.

HIGHGATE PARK

69 Dr McFETRIDGE (Morphett) (12 August 2014). What are the expenditure details for the \$134,000 budgeted for Highgate Park sustainment for 2013-14 and why was the actual result for 2012-13 lower at \$102,000?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The Highgate Park sustainment budget, outlined in the Investing Expenditure Summary, funded the following unavoidable sustainment works at Highgate Park:

- replacing carpet;
- new dishwasher;
- new boiler;
- improved plant room ventilation in the basement; and
- retaining wall repairs.

The variation in expenditure partly relates to the dates invoices were paid for the projects, with some works being commenced in 2012-13 but not completed and paid for until 2013-14.

The lower expenditure result for the 2012-13 period was also related to the needs of the site with fewer unavoidable sustainment works being required in the given time frame.

CLIENT MANAGEMENT SYSTEM

71 Dr McFETRIDGE (Morphett) (12 August 2014). Why was there an additional \$53,000 of expenditure required in 2013-14 (Estimated Result) for the Client Management System and what are the expenditure details of the \$517,000 budgeted for 2012-13?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The \$53,000 of expenditure required in 2013-14 was not additional expenditure but funding carried over to complete development of the replacement functionality for the ageing Adult Specialised Support Intervention (ASSIST) system.

Of the \$517,000 budgeted for 2012-13: \$141,000 was for the development of functionality to replace the ageing Personal Support and Development system; the remaining \$376,000 was for the development of functionality to replace the ageing ASSIST system.

COMMUNITY SAFETY DIRECTORATE

76 Dr McFETRIDGE (Morphett) (12 August 2014).

1. Given that the Community Safety Directorate was previously a program funded through the Department of Community and Social Inclusion (DCSI), what is the current status and structure of the Community Safety Directorate?

2. Is it still funded through DCSI and if so, how much funding does it receive?

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers): I have been advised:

Whilst it was originally proposed that the Community Safety Directorate be administered by DCSI, this did not occur and no budget was transferred to DCSI for this purpose.

CITY RESPITE FACILITY

86 Dr McFETRIDGE (Morphett) (12 August 2014). What is the state government's contribution towards the \$7.4 million city respite facility for people with a disability and their families?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The state government will contribute \$7.44m to the development of the city based respite facility.

DISABILITY CARE MANAGEMENT SYSTEM

87 Dr McFETRIDGE (Morphett) (12 August 2014).

1. Why is expenditure of \$205,000 required for the Disability Care Management System 2014-15?

2. Are there ongoing problems with the Disability Care Management System?

3. Is the Disability Care Management System meeting the requirements of the National Disability Insurance Scheme and the Individualised funding initiative?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

1. The expenditure of \$205,000 in 2014-15 is required to complete the development of the new Disability Care Management System. This is consistent with the announcement in the 2013-14 Mid-Year Budget Review where investing expenditure of \$750,000 in 2013-14 and \$205,000 in 2014-15 were provided.

2. The new Disability Care Management System replaces ageing software applications that had been built on now outdated technology.

3. Work to date for the new Disability Care Management System meets the requirements of the National Disability Insurance Scheme and Individualised funding.

NATIONAL SERVICE STANDARDS

108 Dr McFETRIDGE (Morphett) (12 August 2014). Why does the state government have such a low target for 2014-15 in relation to the number of agencies which have had National Service Standards appraised or externally reviewed?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

In the split of the Home and Community Care program, the commonwealth government is now responsible for some appraisals previously carried out by the Department for Communities and Social Inclusion (DCSI). Consequently, the number of quality standards appraisals being undertaken by DCSI has reduced.

NON-GOVERNMENT COMMUNITY ACCESS SERVICES

109 Dr McFETRIDGE (Morphett) (12 August 2014).

1. Have any non-government agencies over-reported 2013-14 projection figures for the number of non-government community access services?

2. Why has the 2013-14 projection for the number of non-government community access services for the total number of people advised of their personal budget and offered direct payment options so high?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

1. Non-government organisations do not report projected figures for the number of non-government community access services.

2. The projected number of non-government community access services is the number of community access services expected to be delivered to all clients and not limited to those with a personal budget.

NATIONAL DISABILITY INSURANCE SCHEME

111 Dr McFETRIDGE (Morphett) (12 August 2014). Why are there still 1,276 children still in transition to National Disability Insurance Scheme arrangements and why is the transition delayed for these children?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The South Australian trial of the National Disability Insurance Scheme (NDIS) commenced on 1 July 2013 and will continue to be implemented over the next two years. The trial will focus on children with disability aged from birth to 14 years. During the first year of the trial children aged birth to five years were able to access support services through the NDIS. This is being extended to children aged up to 13 years from 1 July 2014 and children aged up to 14 years from July 2015.

An estimated 1,276 children and young people will receive services from Disability Services in 2014-15. This projection is based on the number of children and young people who are over 13 years of age and currently receive Disability Services. This age group sits outside the age cohort for year 2 of South Australia's NDIS trial and as such will not transition to the scheme in 2014-15.

DISABILITY HOME MODIFICATIONS

112 Dr McFETRIDGE (Morphett) (12 August 2014).

1. How does Disability Services ensure that home modifications undertaken are compliant with building regulations and requirements?
2. How many clients are on the waiting list with Disability Services for disability home modifications and what is the average waiting time?
3. How much money was provided to contractors in 2013-14 and what is the projected amount provided to trade contractors in 2014-15 for disability home modifications?
4. How many trade contractors are in receipt of funding and how much did each trade contractor receive for providing disability home modification services for 2013-14?
5. Do contractors receive payment before or after the home modification is undertaken and what guarantees are in place to ensure subcontractors are paid on time?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

1. Complex home modifications (including structural work) are undertaken by either domiciliary equipment service staff or contractors in accordance with the Building Code of Australia. A Housing SA project manager will inspect the work at key points.

2. During 2013-14, once the person has been assessed, the equipment program has operated without waiting lists for the supply of equipment and home modification services.

Once the home modification has been prescribed, supply times during 2013-14 averaged 20 days for both minor and major home modifications, and 150 days for major structural modifications.

3. During 2013-14, a total of \$1.143 million was paid to contractors undertaking home modifications for the Department for Communities and Social Inclusion's equipment program. The budget for contractors to undertake home modifications in 2014-15 is \$1.075 million.

4. Domiciliary equipment service used a total of 47 contractors to undertake home modifications during 2013-14. Payments to contractors ranged according to the number and complexity of modifications.

5. Contractors are paid only after satisfactory completion of the home modification. For minor home modifications and any modifications not involving a project manager, contractors will send the completed service order for the job, signed by the client or home owner, along with an invoice to Shared Services for domiciliary equipment service to approve for payment.

For major home modifications that involve project management, the project manager undertakes a final review of the modifications and arranges a 'Satisfactory Completion Form' to be signed by the client, the home owner, and the prescribing clinician. The contractor invoice is then sent to Shared Services for domiciliary equipment service to approve for payment. As these major structural (and high cost) home modifications are undertaken over an extended period, in some instances contractors may seek part payment for work they have carried out to date. This occurred in three instances during 2013-14 and was supported on each occasion.

Providing the contractor presents their invoice and job details to Shared Services, then those invoices are paid according to normal government time frames.

DISABILITY SERVICES

114 Dr McFETRIDGE (Morphett) (12 August 2014). What measures is the state government implementing to ensure that non-government organisations and charities are able to cope with the high cost of rental and increases and overhead costs?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

Indexation of 3 per cent has been provided to all non-government organisations delivering programs and services to people with disability.

Additional supplementation has also been made available to non-government organisations to meet increased wage costs arising from the Equal Remuneration Order.

HIGHGATE PARK

116 Dr McFETRIDGE (Morphett) (12 August 2014). For 2013-14, what are the expenditure details for the \$134,000 budgeted for Highgate Park sustainment and why was the actual result for 2012-13 lower at \$102,000?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The Highgate Park sustainment budget, outlined in the Investing Expenditure Summary, funded the following unavoidable sustainment works at Highgate Park:

- replacing carpet;
- new dishwasher;
- new boiler;
- improved plant room ventilation in the basement; and
- retaining wall repairs.

The variation in expenditure partly relates to the dates invoices were paid for the projects, with some works being commenced in 2012-13 but not completed and paid for until 2013-14.

The lower expenditure result for the 2012-13 period was also related to the needs of the site with fewer unavoidable sustainment works being required in the given timeframe.

Estimates Replies

ARTS SA

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (18 July 2014) (Estimates committee A).

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries): I have been advised of the following:

The appointment in question relates to the reassignment of an ongoing public servant within a department as provided for under the *Public Sector Act 2009*.

The *Public Sector Act* allows departments to deploy their workforce to where the skills and resources are currently needed. In this instance an employee was returning to her substantive area within the Department of the Premier and Cabinet. This area did not have a pressing need of the employee's media and web development experience whereas Arts SA had an ongoing need for this expertise. Therefore her substantive position, including its funding, was effectively transferred from one area of the department to another. There was no vacancy to advertise and there was no change to the employee's employment conditions (e.g. classification, remuneration) resulting from the reassignment.

The creation of a new position was a required administrative step due to the fact that Corporate Affairs Branch and Arts SA were administered on different payroll databases. There was no impact on the full-time equivalent employee headcount for the Department of the Premier and Cabinet.

CHILDREN WITH DISABILITIES

In reply to **Dr McFETRIDGE (Morphett)** (21 July 2014) (Estimates Committee A).

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

In 2012-13, there were 5,515 unique clients, with an age of birth to 17 years, reported in the final Disability Services National Minimum Data Set provided by the Australian Institute of Health and Welfare (AIHW) which is the data collected for clients who have received funding under the National Disability Agreement.

The South Australian Home and Community Care data for 2012-13 shows there were 4,490 unique clients aged birth to 17 years.

Clients may be reported in both data sets.

Utilising clauses in our existing contracts, DCSI has requested the names and contact details from providers of all state clients aged birth to 13 years in order to provide this information to the National Disability Insurance Agency (NDIA) to assist them in contacting clients to facilitate their transition to the NDIA.

SOUTH AUSTRALIA POLICE

In reply to **Mr GARDNER (Morialta)** (21 July 2014) (Estimates Committee A).

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

To the best of South Australia Police's knowledge, there have been no other instances where this has occurred.

NATIONAL POLICE CERTIFICATE APPLICATIONS

In reply to **Mr GARDNER (Morialta)** (21 July 2014) (Estimates Committee A).

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The number of National Police Certificate applications processed by SAPOL in 2012-13 was 68,025. The number with a volunteer organisation authorisation number was 21,586.

The number of National Police Certificate applications processed by SAPOL in 2013-14 was 68,572. The number with a volunteer organisation authorisation number was 20,235.

There are organisations accredited by CrimTrac who process their own checks and who are reimbursed under the volunteer organisation authorisation number scheme by the South Australian government. SAPOL do not process these checks. They are additional to the figures provided above and are 10,125 in 2012-13 and 12,445 in 2013-14.

PUBLIC SERVICE EMPLOYEES

In reply to **Ms SANDERSON (Adelaide)** (23 July 2014) (Estimates Committee A).

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers):

Positions with a TEC of \$100,000 or More Abolished and Created

Minister for Communities and Social Inclusion

Minister for Social Housing

Minister for Multicultural Affairs

Minister for Ageing

Minister for Youth

Minister for Volunteers

The following information is provided in relation to positions abolished or created in the Communities and Social Inclusion, Social Housing, Multicultural Affairs, Ageing, Youth and Volunteers

portfolios. Information regarding positions abolished or created in the other portfolios within the relevant departments will be reported by the responsible ministers.

Between 30 June 2013 and 30 June 2014 positions with a total employment cost of \$100,000 or more:

Note: DPC has advised that agencies are only required to report on those positions abolished and created with a TEC of \$141,500 or more.

(a) Abolished:

Department for Communities and Social Inclusion	Position Title	TEC Cost (\$)
Nil		
Office for the Ageing	Position Title	TEC Cost (\$)
Nil		

(b) Created:

Department for Communities and Social Inclusion	Position Title	TEC Cost (\$)
Nil		
Office for the Ageing	Position Title	TEC Cost (\$)
Nil		

BIOSA SHORT COURSES

In reply to **Ms SANDERSON (Adelaide)** (22 July 2014) (Estimates Committee B).

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers): I am advised:

BioSA provided 18 short courses and networking functions in 2013-14, which are detailed as follows:

Event	Topic	Cost
Seminar	Patent Strategy in the Time of 'Myriad', 'Prometheus' and 'Alice Corp'	\$332.50
Networking	Healthy, Wealthy and Wise—The Future of Medicines, Foods and Fuels	\$4,055.90
Seminar	Research Commercialisation—A European Perspective	\$480.00
Workshop	Ground Zero Seminar—Get Funded! Building Value for Early Stage Medical Product Development	\$145.00
Seminar	London Calling! Accessing the London, UK and European Life Science Markets	\$145.00
Seminar	GroPep	\$50.00
Seminar	Signostics	\$50.00
Networking	T'was a Year for Good Business—South Australia's High Value Companies	\$7,735.07
Seminar	Ziltek	\$50.00
Seminar	PPP	\$50.00
Seminar	Marketing meets incubator tenants	\$50.00
Networking	Ag, Energy, food Nexus	\$3,000.00
Workshop	Ground Zero Seminar—Expedited Programs for Drug and Biologics Review, Approval, and Marketing	\$331.82
Seminar	RHS	\$50.00
Networking	BioSA	\$50.00

Event	Topic	Cost
Seminar	Wrays IP—Planning Your Patent Budget	\$226.00
Networking	The Olympic Mindset	\$7,914.78
Seminar	CPR Pharma	\$50.00
	TOTAL	\$24,621.07

STEM ENROLMENTS

In reply to **Ms SANDERSON (Adelaide)** (22 July 2014) (Estimates Committee B).

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers): I have been advised:

Figures on year 12 completed enrolments are compiled and published by the SACE Board of South Australia. According to the SACE Board's 2013 annual data report, there were 9,007 enrolments in STEM-based subjects.

The SACE Board is expected to publish enrolments figures for 2014 in early 2015. Expected 2015 figures are not available as predictions are not captured by the SACE Board.

Figures on tertiary enrolments are compiled and published through the commonwealth Department of Education. According to the department's higher education statistics collection, there were 5,776 commencing enrolments and 10,458 continuing enrolments in STEM fields of education in 2013. The 2014 figures are not available until mid-2015. Expected 2015 figures are not published by the commonwealth Department of Education.

TAFE SA

In reply to **Mr PISONI (Unley)** (22 July 2014) (Estimates Committee B).

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers): I am advised:

TAFE SA staffing is dependent on many variables, including revenue it earns from fee-for-service, international students, as well as state government subsidies. The agency engages staff to support its commercial activities, making regular assessments about its yearly training needs and re-allocating its budget for FTEs or other areas as necessary depending on current needs.

Final FTE figures will most likely be different to any projected forward estimates.